

PULBOROUGH PARISH COUNCIL

STANDING ORDERS

**ADOPTED
20th MAY 2010**

**REVIEWED
18th May 2017**

PULBOROUGH PARISH COUNCIL

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1 Meetings

- Mandatory for full Council meetings ●
- Mandatory for committee meetings ●
- Mandatory for sub-committee meetings ●

●	a	Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
● ●	b	When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
● ●	c	Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public’s exclusion from part or all of a meeting shall be by the following resolution which shall give reasons for the public’s exclusion:- “That in view of the [special][confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw.”
	d	Subject to standing order 1(c) above An item for public speaking be included on all agendas to be held on the commencement of the ordinary meetings of the Council and Committee meetings; Members of the public who wish to speak on an item on the agenda must give notice to the Parish Clerk no later than 12 noon the day prior to the meeting being held.
	e	The total period of time which is designated for public participation in accordance with standing order 1(d) above shall not exceed 10 minutes.
	f	Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five minutes or ten minutes if he/she is speaking on behalf of others such as a residents group. At Ordinary meetings of the Council only, and if time allows as per 1(e), the Chairman may invite members of the public, having given notice to the Clerk as per 1(d), to raise any issue not on the agenda. Any questions raised at this point may not be the subject of any debate or discussion.

	g	In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
	h	In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
	i	A record of a public participation session at a meeting shall be included in the minutes of that meeting.
	j	A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chairman may at any time permit an individual to be seated when speaking.
	k	Any person speaking at a meeting shall address his comments to the Chairman.
	l	Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
● ●	m	Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted so long as this does not disrupt the meeting in any way. Anyone wishing to record the meeting must do so from the designated area.
● ●	n	In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
●	o	Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
●	p	The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
● ● ●	q	Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
● ● ●	r	The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j) below.)

●	s Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
● ● ●	t The minutes of a meeting shall record the names of councillors present and absent.
	u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
● ● ●	v The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
● ● ●	w An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. <i>(See also standing orders 7 and 8 below.)</i>
●	x No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.
● ● ●	y If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

2 Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**

- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**

- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**

- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e **The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he 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 the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - vii. Review and adoption of appropriate standing orders and financial regulations.

- viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix. Review of representation on or work with external bodies and arrangements for reporting back.
- x. In a year of elections, to review and make arrangements to reaffirm the eligibility and intention to exercise the General Power of Competence.
- xi. Review of inventory of land and assets including buildings and office equipment.
- xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xiii. Review of the Council's and/or employees' memberships of other bodies.
- xiv. Establishing or reviewing the Council's complaints procedure.
- xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xvi. Establishing or reviewing the Council's policy for dealing with the press/media
- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
 - i. Upon receipt of written instruction from each Councillor, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer. Any Councillors who choose to not have the summons served in an electronic format should have the summons delivered or posted to their residence at least 3 clear days before the meeting.
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every councillor’s register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council’s procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds [to be sealed using the Council’s common seal] OR [to be signed by 2 councillors] and witnessed (*See also model standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council’s financial regulations.
- xv. Record every planning application notified to the Council and the Council’s response to the local planning authority;
- xvi. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council’s Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.

- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes)thereto.
 - xi. To receive nominations to a committee or sub-committee.

- xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub- committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds signed by two councillors and witnessed.
(See standing orders 14(a) and (b) below.)
 - xvii. To authorise the payment of monies up to £1,000.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c A point of order shall be decided by the Chairman and his decision shall be final.

7 Code of conduct (England)

See also model standing orders 1(d)–(i) above

A revised statutory code of conduct is expected to come into force in 2010

- a **All councillors shall observe the code of conduct adopted by the Council.**

- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

- c **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**

(Paragraph 12(2) adopted by Pulborough Parish Council 15th November 2007 minute no 107)

- d **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 7 clear days notice of the question has been given to the Proper Officer.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.

- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and

shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations** are attached as Appendix 1 and **shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

14 Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

15 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;

- iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
- iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 7 days before the meeting that they are unable to attend;
- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. may in accordance with standing orders, dissolve a committee at any time.

16 Sub-committees

See also standing order 1 above

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17 Extraordinary meetings

See also standing order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public

notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

18 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 General Power of Competence (England)

- a Before exercising the above power, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.**
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence at its next meeting.**
- c The Chairman or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of The Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution of the Council.**
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Council in his absence, the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.**

- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk relates to the Chairman or Vice-Chairman of the Council this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to (post holder) and/or the Chairman of the Council.

27 Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance & Policy Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

28 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29 Liaison with District and County Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County Council shall be sent to the District or County councillor representing its electoral ward.

30 Financial matters

- a The Council shall consider and approve financial regulations (attached as Appendix 1 of these Standing Orders) drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e Where the cumulative value of a contract is likely to exceed a value £25,000 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2015 apply to the contract and, if so, the Council must comply with the Public Contract Regulations 2015 rules and if applicable publicise on the Contractfinder website.

31 Code of Conduct for the Handling of Complaints

- a) The Council shall deal with complaints of maladministration allegedly committed by the Council or maladministration or disorderly conduct allegedly committed by any officer or member except for those complaints, which should be properly directed, to the Standards Board for consideration in accordance with the adopted Code of Conduct for the Handling of Complaints which is attached as Appendix 6.

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 2/3rds of councillors.

33 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

PULBOROUGH PARISH COUNCIL

FINANCIAL REGULATIONS

(appendix 1 to Standing Orders)

(Updated February 2017)

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These Financial Regulations were adopted by the Pulborough Parish Council at its Meeting held on 17th July 2014 and reviewed at the Annual Meeting of the Council 19th May 2016.

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders¹ and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud; and
 - identifying the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Clerk has been appointed as RFO for this council and these regulations will apply accordingly. For the remainder of the document, the reference to RFO also denotes Clerk.

¹ Model standing orders for councils are available in Local Councils Explained © 2013 National Association of Local Councils

- 1.9. The RFO;
- acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations².
- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council; and
 - wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and

² In England - Accounts and Audit (England) Regulations 2011/817
In Wales - Accounts and Audit (Wales) Regulations 2005/368

- measures to ensure that risk is properly managed.
- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:
- setting the final budget or the precept (Council Tax Requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the General Power of Competence; and
 - addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.
- 1.14. In addition the council must:
- determine and keep under regular review the bank mandate for all council bank accounts;
 - approve any grant or a single commitment in excess of £5,000; and
 - in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant Committee in accordance with its terms of reference.
- 1.15. In these financial regulations, references to the Accounts and Audit Regulations or ‘the regulations’ shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

In these financial regulations the term ‘proper practice’ or ‘proper practices’ shall refer to guidance issued in *Governance and Accountability for Local Councils – a Practitioners’ Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC) or *Governance and Accountability for Local Councils in Wales - A Practitioners’ Guide*, available from the websites of One Voice Wales (OVW) and SLCC as appropriate.

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate Guidance and proper practices.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Finance Committee.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary

for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms ‘independent’ and ‘independence’ shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors’ rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. Each committee (if any) shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of October each year including any proposals for revising the forecast].
- 3.2. The RFO must each year, by no later than November prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance & Policy Committee in November prior to consideration by the Full Council in January each year.
- 3.3. The council shall consider annual budget proposals in relation to the council’s three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue

the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £1500;
- a duly delegated committee of the council for items up to £1500 and with reference to the agreed Powers & Duties for that Committee; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500 that are required as a matter of urgency or on the grounds of public safety.

Such authority is to be evidenced by a Minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in [October] for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. 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 £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall quarterly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in

the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of or 15% of the budget.

- 4.9. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.
- 5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council or Committee . The council / committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council or Committee. The approved schedule shall be ruled off and initialled by two signatories at the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information. The Chairman and RFO will also authorise the schedule by signature.
- 5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council. The Cheque signatories and RFO will also initial each invoice.
- 5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council or Committee Meeting.
- 5.5. The Clerk and RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Committee;
 - b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council or Committee; or
 - c) fund transfers within the councils banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Committee.
- 5.6. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any Policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 shall before payment, be subject to ratification by resolution of the council.

- 5.7. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.8. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.
- 5.9. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

6. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 6.1. The council will make safe and efficient arrangements for the making of its payments.
- 6.2. Following authorisation under Financial Regulation 5 above, the council, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 6.3. All payments shall be effected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of Council [or duly delegated Committee].
- 6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by two members of council in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council or Committee at the next convenient meeting.
- 6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable Direct Debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable Direct Debit shall be renewed by resolution of the council at least every two years.
- 6.8. If thought appropriate by the council, payment for certain items (principally Salaries) may be made by Banker's Standing Order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a Banker's Standing Order shall be renewed by resolution of the council at least every two years.
- 6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

- 6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.
- 6.12. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall, software with automatic updates, together with a high level of security, is used.
- 6.15. Where internet banking arrangements are made with any bank, the Clerk [RFO] shall be appointed as the Service Administrator. The Bank Mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.
- 6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by two Members. A programme of regular checks of standing data with suppliers will be followed.
- 6.18. Any Debit Card issued for use will be specifically restricted to the RFO and will also be restricted to a single transaction maximum value of £500 unless authorised by council or finance committee in writing before any order is placed.
- 6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Finance Committee. Transactions and purchases made will be reported to the Council or relevant committee and authority for topping-up shall be at the discretion of the Finance Committee.
- 6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

- 6.21. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

7. PAYMENT OF SALARIES

- 7.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by council, or duly delegated committee.
- 7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available council meeting, as set out in these regulations above.
- 7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council or relevant committee.
- 7.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- a) by any councillor who can demonstrate a need to know;
 - b) by the internal auditor;
 - c) by the external auditor; or
 - d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 7.6. An effective system of personal performance management should be maintained for the senior officers.
- 7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 7.8. Before employing interim staff the council must consider a full business case.

8. LOANS AND INVESTMENTS

- 8.1. All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for Borrowing Approval, and subsequent arrangements for the Loan shall only be approved by full council.
- 8.2. Any financial arrangement which does not require formal Borrowing Approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.
- 8.3. The council will arrange with the council's Banks and Investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.
- 8.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with council policy.
- 8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.
- 8.6. All investments of money under the control of the council shall be in the name of the council.
- 8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 8.8. Payments in respect of short term or long term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges at least annually, following a report of the Clerk.
- 9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 9.5. All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.

- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any council meeting (see also Regulation 16 below).

10. ORDERS FOR WORK, GOODS AND SERVICES

- 10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 10.2. Order books shall be controlled by the RFO.
- 10.3. All members and Officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 11 (I) below.
- 10.4. A member may not issue an official order or make any contract on behalf of the council.
- 10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the Minutes can record the power being used.

11. CONTRACTS

- 11.1. Procedures as to contracts are laid down as follows:
 - a. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:
 - i. for the supply of gas, electricity, water, sewerage and telephone services;

- ii. for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - v. for additional audit work of the external Auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
- b. Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by the Public Contracts Regulations 2015 ("the Regulations") which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations. The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts.
- c. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceeds thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time). Thresholds currently applicable are:
- For public supply and public service contracts £164,176
 - For public works contracts £4,104,394
- d. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- e. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.
- g. If less than three tenders are received for contracts above £25,000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.

- h. Any invitation to tender issued under this regulation shall be subject to Standing Order³ 30c and shall refer to the terms of the Bribery Act 2010.
- i. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- j. The council shall not be obliged to accept the lowest or any tender, quote or estimate.
- k. Should it occur that the council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- l. The European Union Procurement Directive shall apply and the terms of the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2006 including thresholds shall be followed.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.
- 12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.]

13. STORES AND EQUIPMENT

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery Notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

³ Based on NALC's model standing order 18d in Local Councils Explained © 2013 National Association of Local Councils

13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

14. ASSETS, PROPERTIES AND ESTATES

14.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

14.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.

14.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law, In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

14.5. Subject only to the limit set in Reg. 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a Report in writing shall be provided to council with a full business case.

14.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

15. INSURANCE

15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

15.2. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

15.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.

15.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined [annually] by the council, or duly delegated committee.

16. CHARITIES

16.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any Audit or Independent Examination as may be required by Charity Law or any Governing Document.

17. RISK MANAGEMENT

17.1. The council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the council, risk management policy statements in respect of all activities of the council. Risk policy statements and consequential risk management arrangements shall be reviewed by the council at least annually.

17.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

18. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

18.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these financial regulations.

18.2. The council may, by resolution of the council duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of council.

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PULBOROUGH PARISH COUNCIL STANDING ORDERS ~ APPENDIX 2

FINANCE & POLICY COMMITTEE

CONSTITUTION

Not less than 4 members and not more than 10 members of the Council. Chairman of each Standing Committee together with the Chairman and Vice-Chairman of the Council and the RFO are ex-officio. A quorum consists of 3 or more.

POWERS AND DUTIES

1. To exercise general supervision and control over the finances and assets of the Council and to arrange for the proper auditing of all accounts of the Council as detailed in Appendix 1, Financial Regulations.
2. To arrange for the periodical review of the following:
 - a) The Council's Financial Regulations.
 - b) The Council's Risk Assessments.
 - c) The Council's Business Plan
3. To arrange for the investment of any Council funds, subject to the requirements of law.
4. To arrange where appropriate for the insurance against damage or loss of the Council's property of whatever nature and to be responsible for effecting and maintaining all such other policies of insurance which is desirable or necessary to maintain in respect of liabilities which may be incurred by the Council, its members or officers.
5. To be responsible for the appointment of Council staff, and for the Terms and Conditions of their employment.
6. To be responsible for the provision of the Council's offices, office equipment and furniture.
7. To exercise general supervision of wages and salaries paid to Council employees and to recommend to Council thereon.
8. To keep under review Standing Orders in the Council and constitutions for each Standing Committee and to recommend to Council thereon.
9. To consider in every year the annual estimates of income and expenditure on revenue and capital account and to recommend to the Council the precept necessary to meet the expenditure of the Council.
10. To keep under review the staffing and services of the Council and to recommend to Council thereon.
11. To invite quotations for expenditure in excess of £1,500 for goods or services within the Committee's budget and to recommend to Council thereon.
12. At the discretion of the Chairman, and with the agreement of the Committee, £1,500 may be spent without referral to Council provided the expenditure is within the budget.

Reviewed 18.05.17

PLANNING & SERVICES COMMITTEE

CONSTITUTION

Not less than 4 members and not more than 10 members of the Council. Chairman and Vice-Chairman of the Council are members of this committee (ex-officio). A quorum consists of 3 or more.

POWERS AND DUTIES

1. To consider all planning applications relating to the Parish and to comment thereon to the District Council.
2. To authorise where appropriate the lodging or support for appeals arising out of decisions in respect to planning applications within the Parish.
3. To arrange for the periodical review of risk assessments relevant to this committee.
4. To exercise general control of that street lighting owned by the Parish Council and to make recommendations on any extension/reduction thereof.
5. To keep under review and report to the appropriate authority any failures or proposals in respect of street lighting.
6. To keep under review the general supervision of the clearing of highways, footways etc. within the Parish.
7. To consider any matter relating to protection of highways, footways (with specific consideration given to quarterly reviews of the footways on Church Hill and Sopers Hill), footpaths or bridleways within the Parish and to report any problems or recommendations to the appropriate authority.
8. To consider any matter relating to public transport facilities within the Parish and to report any problems or recommendations to the appropriate authority.
9. To review the provision of and to be responsible for the regular maintenance and occasional replacement or other work on the following items of Council property: the millennium clock, notice boards, Christmas lights, hanging baskets, village signs, seats (except those in childrens' play grounds and on the main recreation ground), litter bins, dog waste bins and grit bins.
10. To invite quotations for expenditure in excess of £1,000 for goods and services within the Committee's budget and to recommend to Council thereon.
11. At the discretion of the Chairman, and with the agreement of the Committee, £1,000 may be spent without referral to Council provided the expenditure is within the budget

Reviewed 18.05.17

PULBOROUGH PARISH COUNCIL STANDING ORDERS ~ APPENDIX 4

RECREATION & OPEN SPACES COMMITTEE

CONSTITUTION

An Advisory Committee consisting of representatives of various sports organisations, allotments and other community groups and the groundsman shall attend, together with not less than 3 members of the Council. The Advisory Committee may make recommendations to the Council.

The Chairman and Vice-Chairman of the Council are ex-officio members of the Council Committee. In matters involving expenditure or Council policy, decisions shall be authorised by members of the Council (subject to 12 below).

POWERS AND DUTIES

1. To be responsible for the proper regulation and management of the Council's parks, recreation grounds, woodlands, open spaces set aside for purposes of leisure, recreation or bio-diversity and picnic grounds and amenities areas.
2. To be responsible for regular review and updating of risk assessments for items or activities relevant to this committee.
3. To be responsible for regular inspections relating to the health and safety of all trees owned by the Council and for any works recommended in an inspection report.
4. To be responsible for the provision and maintenance of childrens' playgrounds and equipment and for their regular inspection.
5. To review the provision of, and to be responsible for the regular maintenance and occasional replacement of the Council's seats in childrens' playgrounds and on the main recreation ground, and for the Council's life buoys by the river.
6. To exercise the Council's responsibilities relating to the provision and promotion of leisure and recreational facilities within the Parish.
7. To exercise the powers and duties of the Council relating to allotments.
8. To achieve the most beneficial use of the Council's recreation facilities by the proper allocation of sports facilities.
9. The groundsman shall attend meetings during the club session and submit a report to the meeting.
10. To arrange the circulation of the minutes of the meetings of the Committee to all club representatives, subject to the exclusion of confidential matters.
11. To invite quotations for expenditure in excess of £1,000 for goods or services within the Committee's budget and to recommend to Council thereon.
12. At the discretion of the Chairman, and with the agreement of the Committee, £1,000 may be spent without referral to Council provided the expenditure is within budget
13. To formulate and review plans for a three year rolling programme for maintenance and replacement of assets.

Reviewed 18.05.17

STANDING ORDERS FOR ANNUAL PARISH MEETINGS

*Notice of meeting **must** be given by affixing notices in some conspicuous place in the parish and in any other manner thought desirable, e.g. press advertisement.*

1. Proceedings shall begin at 7p.m.
2. The Chairman of the Council shall preside.
3. If the Chairman is absent the Vice-Chairman shall preside.
4. If the Chairman and Vice-Chairman are absent the meeting shall appoint a chairman before it proceeds to any other business.
5. The Clerk shall record the proceedings of parish meetings.
6. If the Clerk is absent the person presiding at the meeting may record the proceedings or may appoint another to do so.
7. The order of business at the Annual Assembly shall be as follows:
 - (1) To receive the Annual Report of the Parish Council.
 - (2) To receive a statement of the Parish Council's accounts for the year ended the previous 31st March.
 - (3) To receive the Council's observations on its finances for the current year.
 - (4) To receive Committee reports
 - (5) To receive the observations of the County Councillor and of the District Councillors for the division or ward in which the parish is situated.
 - (6) To consider resolutions of which written notice has been given.
 - (7) To deal with any other business.

Reviewed 18.05.17

PULBOROUGH PARISH COUNCIL STANDING ORDERS – APPENDIX 6

PULBOROUGH PARISH COUNCIL CODE OF CONDUCT FOR THE HANDLING OF COMPLAINTS

Pulborough Parish Council believes a Code of Conduct for the Handling of Complaints demonstrates that the Council:

- wishes to provide a good service;
- is committed to listen to and act upon residents' views;
- undertakes its business in an open and honest manner;
- wishes to deal with complaints fairly and expeditiously.

The following lays out the procedures to be followed, should a complaint be received.

Before the Meeting

1. The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk or other nominated officer.
2. If the complainant does not wish to put the complaint to the Clerk or other nominated officer, he or she should be advised to address it to the Chairman of the Council.
3. The Clerk or other nominated officer shall acknowledge receipt of the complaint and advise the complainant when the matter will be considered by the Council or by the Committee established for the purposes of hearing complaints (Finance & Policy Committee). The complainant should also be advised whether the complaint will be treated as confidential or whether for example, notice of it will be given in the usual way (if, for example, the complaint is to be heard by a Committee).
4. The complainant shall be invited to attend a meeting and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The Council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.

At the Meeting

6. The Council shall consider whether the circumstances of the meeting warrant the exclusion of the public and press. Any decision on a complaint shall be announced at the council meeting in public.
7. The Chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for the complaint and, thereafter, questions may be asked by (i) the Clerk or other nominated officer and then (ii), members.
9. The Clerk or other nominated officer will have an opportunity to explain the Council's position and questions may be asked by (i) the complainant and (ii) members.
10. The Clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.

11. The Clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, *both* parties shall be invited back.
12. The Clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalized on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.

After the Meeting

13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

Adopted by Council 8th July 2010
Reviewed by Council 18.05.17