

**Fincham Parish Council**

# Members' Handbook 2023

Revised: November 2023

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# Introduction

Fincham is a small parish in Norfolk. This does not prevent it however, from operating, and be seen to be operating, in a professional and organised manner.

This pack has therefore been put together with the combined purposes of: -

- Providing guidance to the Chair and Clerk.
- Providing a point of reference for existing Councillors.
- Helping new Councillors understand the procedural arrangements under which the Council conducts its business.
- Giving confidence to the public, auditors and others.

It should be considered therefore as a working document.

A more in depth coverage of the more common issues will be found in the 'Parish Councillor's Guide' held by the Clerk. This also contains references to the relevant acts of parliament such as the Local Government act 1972, the LG Miscellaneous Provisions act 1976, the LG Finance act 1986 and the Accounts and Audit regulations 1996.

Many of the procedures contained in the enclosed pages are discretionary and have been adopted by Fincham Council as 'Good Practice'. However, certain of those contained within the 'Standing Orders' are laid down by acts of parliament and are therefore not discretionary. Where this is the case the items are shown in **bold type**. Any discretionary item may be temporarily suspended, if and when appropriate, by a normal vote.

Permanent changes will only normally be made as part of the annual review. The purpose of the procedures is to assist, not obstruct the Council and Councillors are therefore encouraged to propose changes where they feel these would be of benefit. It is the responsibility of all to ensure that the procedures are followed and any member who has reasonable grounds for feeling that this is not the case may make this known by calling a 'point of order'.

The inherent informality typical of Parish Council meetings is considered positive and constructive. Whilst this needs to be generally protected, there are specific areas where formality is needed or is mandatory and the following Standing Orders are to be used for this purpose.

# Standing Orders

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# 1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
- i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the chairman of the meeting.

## 2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 3. Meetings generally

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 **The minimum three clear days for notice of a meeting does not include 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.**
-  c **The minimum three clear days public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR [The minimum three clear days public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].
-  d **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 a resolution which shall give reasons for the public's exclusion**
-  e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.


- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i 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 of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one), 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 a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**



 r **The chairman of a meeting 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 standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*


s **Unless standing orders provide otherwise, voting on a 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 include an accurate record of the following:


- i. the time and place of the meeting;
- ii. the names of councillors present and absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

 u **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**



 v **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 three.**

*See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.*

 w **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**



- x A meeting shall not exceed a period of 2 hours.

## **4. Committees and sub-committees**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;

- xi shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii may dissolve a committee or a sub-committee

## **5. Ordinary council meetings**

- 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 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 6.00pm.**
- 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 first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) 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 there is one, 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 annual 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 shall 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 annual 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 shall 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 there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;
  - ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xiii. Review of inventory of land and assets including buildings and office equipment;
  - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - xv. Review of the Council's and/or staff subscriptions to other bodies;
  - xvi. Review of the Council's complaints procedure;
  - xvii. Review of the Council's policies, procedures and practises in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);
  - xviii. Review of the Council's policy for dealing with the press/media; and
  - xix. Review of the Council's employment policies and procedures;
  - xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
  - xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

## **6. Extraordinary meetings of the council and committees and sub-committees**

- 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 call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee [or the sub-committee], any two members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

## **7. Previous resolutions**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved within a further six months.

## **8. Voting on appointments**

- a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

## **9. Motions for a meeting that require written notice to be given to the Proper Officer**

- a A motion shall relate to the responsibilities of the meeting which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 5 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer for their rejection.

## **10. Motions at a meeting that do not require written notice**

- a The following motions may be moved at a meeting without written notice to the Proper Officer;


- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

## 11. Management of information

*See also standing order 20.*

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

## 12. Draft minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, 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 meeting and the minutes are confirmed as an accurate record of the proceedings.”
-  e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12 (e) and standing order 20 (a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 13. Code of conduct and dispensations

See also standing order 3(u) above.

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.



- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following applies:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area;**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 14. Code of conduct complaints

- a Upon notification by the Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).

- c The Council may:
- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Borough Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

## 15. Proper Officer

- a The Proper Officer shall be the clerk or a member nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the Council, a committee and a sub-committee**
    - **serve on councillors, by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3 (c) for the meaning of clear days for a meeting of a committee;*
  - ii. subject to standing order 9, include on 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;
  - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
  - iv. **facilitate inspection of the minute book by local government electors;**
  - v. **receive and retain copies of byelaws made by other local authorities;**
  - vi. retain acceptance of office forms from councillors;
  - vii. retain a copy of every councillor's register of interests;
  - viii. assist with responding to requests made under the freedom of information legislation and rights exercisable under data protection

- legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
  - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
  - xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
  - xii. arrange for legal deeds to be executed;  
*(see also standing order 23);*
  - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
  - xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
  - xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
  - xvi. manage access to information about the Council via the publication scheme; and
  - xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
*(see also standing order 23);*

## **16. Responsible Financial Officer**

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **17. Accounts and accounting statements**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide."
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- i. the council's receipts and payments for each quarter;
  - ii. the council's aggregate receipts and payments for the year to date;
  - iii. the balances held at the end of the quarter being reported and
- which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

## **18. Financial controls and procurement<sup>1</sup>**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices 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; and

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<sup>1</sup> Revised April 2022

- v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council’s written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## **19. Handling staff matters**

- a A matter personal to a member of staff that is being considered by a meeting of Council OR committee is subject to standing order 11 above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman or, if he is not available, the vice-chairman (if there is one) of absence occasioned by illness or other reason and that person shall report such absence to Council at its next meeting.
- c The chairman of the Council shall upon a resolution conduct a review of the performance and annual appraisal of the work of Clerk/RFO. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other member of staff) shall contact the chairman or in his absence the vice-chairman (if there is one) of the Council 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 matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman or vice-chairman, 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 staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11 (a) persons with line management responsibilities shall have access to staff records referred to in standing order 19 (f) and (g).

## 20. Responsibilities to provide information

*See also standing order 21*

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015**

## 21. Responsibilities under data protection legislation

(Below is not an exclusive list).

*See also standing order 11.*

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

## 22. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## 23. Execution and sealing of legal deeds

*See also standing orders 15(b)(xii) and (xvii).*

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 23 (a), any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

## 24. Communicating with District and County or Unitary councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Borough and County Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Borough and County Council shall be sent to the ward councillor(s) representing the area of the Council.

## 25. Restrictions on councillor activities

- a. Unless duly authorised, no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## 26. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall



be proposed by a special motion, the written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9 above.

- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

# Financial Regulations

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## 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 orders<sup>2</sup> 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.
- 1.9 The RFO;

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<sup>2</sup> Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- 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 Regulations.

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
- 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).

## **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 At each full meeting of the council a member shall be appointed to verify bank reconciliations 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 council.
- 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 The RFO must each year, by no later than December, 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 council.
- 3.2 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.
- 3.3 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.
- 3.4 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 £5,000;
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500;
- the Clerk, in conjunction with the Chairman of the Council for any item below £500 where the Parish Council has made a decision to purchase the item and agreed to delegate the decision on the exact specifications of the item to be purchased.

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 regularly 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 £100 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. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of 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.

- 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.
- 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 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 finance 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
  - 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.
- 5.6 For each financial year the Clerk shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively, Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.
- 5.7 A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.
- 5.8 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.

- 5.9 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.
- 5.10 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.
- 5.11 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 affected by cheque or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.
- 6.4 Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council 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 meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council 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 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 the Clerk. 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 Clerk 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 council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.
- 6.20 Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk 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.
- 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 affected 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, if thought relevant, 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.
- 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.

## **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 11.1 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 legal professionals acting in disputes;
    - 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 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 Regulation<sup>3</sup>.

- 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 exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)<sup>4</sup>.
- 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. Any invitation to tender issued under this regulation shall be subject to Standing Order 18d<sup>5</sup> and shall refer to the terms of the Bribery Act 2010.
- h. 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 shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the Clerk shall strive to obtain 3 estimates. Otherwise, Regulation 10 (3) above shall apply.
- i. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

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<sup>3</sup> 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

<sup>4</sup> Thresholds currently applicable are:

a) For public supply and public service contracts 209,000 Euros (£181,302)

b) For public works contracts 5,225,000 Euros (£4,551,413)

<sup>5</sup> Based on NALC’S Model Standing Order 18d ©NALC 2018

- j. 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.

## **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. ASSETS, PROPERTIES AND ESTATES**

- 13.1 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.
- 13.2 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.

- 13.3 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).
- 13.4 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).
- 13.5 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.
- 13.6 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.

## **14. INSURANCE**

- 14.1 Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 14.2 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 14.3 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.
- 14.4 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 by the council.

## **15. RISK MANAGEMENT**

- 15.1 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.
- 15.2 When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

## **16. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS**

- 16.1 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.
- 16.2 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.

# Fincham Parish Council Chairmanship

The authority of the Chair is limited to procedural matters. He/she has no preferential rights, other than for the casting vote, over other Councillors regarding policy or the merits of a case.

This procedural authority is placed on the Chair by the Council as a whole and any rulings must be obeyed by individual Councillors. However the Chair cannot overrule the Council as a whole and any appeal against a decision must be put to the vote.

The duty of the Chair is to ensure that the Council reaches clear and lawful decisions, for the right reasons and without undue delay. In detail the Chair must: -

1. Ensure that issues put before the Council are clear and that as far as possible, all the information required is to hand.
2. Ensure that everything discussed is lawful and within the Council's powers.
3. Allow everyone with a point to have a fair hearing but to make sure that points are relevant to the agenda item in hand and that discussion of peripheral matters are discouraged.
4. Ensure that business is conducted as quickly as practicable by allocating a specific time for each agenda item and not allow undue repetitions or for matters already decided or for issues to be reopened.
5. Ensure that business is conducted in a friendly manner and without personality intrusion.
6. Constructively co-operate with the Clerk/Finance Officer & all other Councillors.
7. Ensure that issues to be decided by the Council are clearly understood, that any decisions are made by a majority of those present through a normal vote and that clear instructions to act are given following decisions. To ensure accountability, specific action points will be set and completion dates agreed.
8. Protect Council meetings from external interruptions and any attempts to obstruct proceedings, e.g. by members of the public.

# Accounting And Auditing Regulations

## Accounting & Audit Regulations

Statement of assurance to be completed by the Council each year following examination of the books by a nominated councillor or other than the Chair.

	Agreed – Yes or No*	'Yes' means that the Council:
1 we have approved the accounts which have been prepared in accordance with the requirements of the Accounts and Audit Regulations 1996 and proper accounting practice.		prepared its accounts in the way prescribed by law.
2 we have maintained an adequate system of internal control, including measures designed to prevent and detect fraud and corruption.		made proper arrangements and accepted responsibility for safeguarding the public money and resources in its charge.
3 we have taken all reasonable steps to assure ourselves that there are no matters of actual or potential non-compliance with laws, regulations and codes of practice which could have a significant financial effect on the ability of the council to conduct its business or on its finances.		has only done things that it has the legal power to do and has conformed to codes of practice and standards in the way it has done so.
4 we have carried out an assessment of the risks facing the council and taken appropriate steps to manage those risks, including the introduction of internal controls and/or external insurance cover where required.		considered all the risks it faces in the operation of the council and has dealt with them properly.
5 we have appointed an internal auditor who is both competent and who has acted independently from influence by the council.		arranged for a person unconnected with the council to check that its activities are properly carried out and recorded.
6 we have taken what we consider to be appropriate action on all matters raised in previous reports from the internal and external auditors.		followed the advice received from its auditors.
7 we have provided proper opportunity for the exercise of electors' rights in accordance with the requirements of the Accounts and Audit Regulations 1996.		has given all persons interested the opportunity to inspect and ask questions about the council's business.
8 we are not aware of any litigation, liabilities or commitments, events or transactions, occurring either during or after the end of the financial year being reported, other than those included in the accounts.		disclosed everything it should have about its business during the year including events taking place after the year-end if relevant.

This Statement of Assurance is approved by the Council and recorded as council minute reference

dated  20

Signed on behalf of  Council:

Certified by: Chair  Date

Clerk  Date

## Audit Testing of Internal Controls

The Council's appointed internal auditor and the Council will together determine the scope and extent of testing of internal controls required in order that an adequate level of assurance may be obtained by the Council and for the internal auditor to be able to complete his/her Annual Report.

The ten key control tests identified in Section 4 of the Council's annual return, however, represent the likely minimum level of coverage required in all local councils. The following suggested testing of these key control areas, if carried out, documented and reported to the Council, should enable internal auditors to report their findings to the Council and complete their Annual Report. The frequency with which these tests are to be carried out, and the sample sizes to be used, will be a matter for the exercise of judgement. However, testing should always be kept in proportion to the likelihood of fraud, error or misstatement that could occur, and be related to the size and level of business activity of the council.

Internal Control	Suggested tests
Proper bookkeeping	<ul style="list-style-type: none"> <li>● Is the cashbook maintained and up to date?</li> <li>● Is the cashbook arithmetic correct?</li> <li>● Is the cashbook regularly balanced?</li> </ul>
a) Standing Orders and Financial Regulations adopted and applied; and b) Payments controls	<ul style="list-style-type: none"> <li>● Has the Council formally adopted standing orders and financial regulations?</li> <li>● Has a Responsible Financial Officer been appointed with specified duties?</li> <li>● Have items or services above a de minimis amount been competitively purchased?</li> <li>● Are payments in the cashbook supported by invoices, authorised &amp; minuted?</li> <li>● Has VAT on payments been identified, recorded and reclaimed?</li> <li>● Is s137 expenditure separately recorded and within statutory limits?</li> </ul>
Risk management arrangements	<ul style="list-style-type: none"> <li>● Does a scan of the minutes identify any unusual financial activity?</li> <li>● Do the minutes record the council carrying out an annual risk assessment?</li> <li>● Is insurance cover appropriate and adequate?</li> <li>● Are internal financial controls documented and regularly reviewed?</li> </ul>
Budgetary controls	<ul style="list-style-type: none"> <li>● Has the Council prepared an annual budget in support of its precept?</li> <li>● Is actual expenditure against the budget regularly reported to the Council?</li> <li>● Are there any significant unexplained variances from budget?</li> </ul>
Income controls	<ul style="list-style-type: none"> <li>● Is income properly recorded and promptly banked?</li> <li>● Does the precept recorded in the cashbook agree to the District Council's notification?</li> <li>● Are security controls over cash adequate and effective?</li> </ul>
Petty cash procedures	<ul style="list-style-type: none"> <li>● Is all petty cash spent recorded and supported by VAT invoices/receipts?</li> <li>● Is petty cash expenditure reported to each Council meeting?</li> <li>● Is petty cash reimbursement carried out regularly?</li> </ul>
Payroll controls	<ul style="list-style-type: none"> <li>● Do salaries paid agree with those approved by the Council?</li> <li>● Are other payments to the Clerk reasonable and approved by the Council?</li> <li>● Has PAYE/NIC been properly operated by the council as an employer?</li> </ul>
Assets controls	<ul style="list-style-type: none"> <li>● Does the Council keep an asset register of all material assets owned?</li> <li>● Are the Asset/Investments registers up to date?</li> <li>● Do asset insurance valuations agree with those in the asset register?</li> </ul>
Bank reconciliation	<ul style="list-style-type: none"> <li>● Is there bank reconciliation for each account?</li> <li>● Is bank reconciliation carried out regularly on the receipt of statements?</li> <li>● Are there any unexplained balancing entries in any reconciliation?</li> </ul>
Year-end procedures	<ul style="list-style-type: none"> <li>● Are year-end accounts prepared on the correct accounting basis (Receipts &amp; Payments/Income &amp; Expenditure)?</li> <li>● Do accounts agree with the cash book?</li> <li>● Is there an audit trail from underlying financial records to the accounts?</li> <li>● Where appropriate, have debtors and creditors been properly recorded?</li> </ul>

Full details are available from the Clerk

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# Complaint Handling Procedure

Whilst it is Council policy to get things right first time, it is acknowledged that, like in any other organisation, mistakes and/or delays can occur for a variety of reasons. In the event that a local resident feels dissatisfied with the level of service received from the Parish Council, the Council will endeavour to investigate the circumstances behind the complaint as quickly as practicable using the steps set out in this procedure. All complaints must be made in writing.

1. All complaint will be forwarded to the Clerk without delay.
2. On receipt of a complaint it will be logged in a complaints register by the Clerk, a copy will be sent to the Chair & Vice Chair and an acknowledgement will be sent to the complainant.
3. The complaint will be discussed between the Clerk, Chair and/or Vice Chair and a course of action agreed. In many cases the cause will be a simple misunderstanding or lack of communication which can be corrected immediately, in other cases an investigation may be necessary.
4. The Chair/Vice Chair will take responsibility for seeing that the complaint is properly dealt with and will either carry out any necessary investigations him/her self or appoint another councillor to do so.
5. The complaint and action being taken will be reported to the Council at the next ordinary meeting. In exceptional circumstances a special meeting may be called.
6. In the unlikely event that an investigation will take some time to complete, the complainant will be given an update and an indication of when a full response can be expected.
7. In the event that the complaint deals with the conduct of a Councillor, the local Standards Board will be informed and asked for advice.
8. When any required investigation is complete a report will be presented to the Council and any actions agreed.
9. If the complaint is upheld the complainant will be sent an apology together with an explanation and, where appropriate, details of actions being taken by the Council to minimise the chances of a recurrence.
10. If the complaint is not upheld the complainant will be sent an explanation setting out the reasons for not accepting the complaint.
11. To ensure openness the number of complaints received each year will be given in the annual report. Names of complainants and personal details will not be reported.

## ***Fincham Parish Council Complaint Register***

<b>Complaint Ref</b>	<b>Date Received</b>	<b>Complainant Name</b>	<b>Brief Summary of Complaint</b>	<b>Date To Chair</b>	<b>Investigator</b>	<b>Outcome</b>	<b>Completion Date</b>

# Parish Assembly Procedures

(extracted from NALC recommendations 1999)

1. **The Parish Assembly must take place each year between 1 March and 1 June inclusive, starting not earlier than 6 pm.** Normally this will be immediately before the April meeting of the Council and start at 7pm.
2. The meeting will be organised by the Parish Council.
3. All attempts should be made to generate interest in the meeting within the local community & to encourage participation.
4. The meeting should be as informal as possible, consistent with maintaining ordered proceedings.
5. Two weeks notice will be given via the press release and parish notice boards. Electors will be invited to submit items for the agenda, which will be placed on the Council notice board.
6. Depending on availability, **the meeting will be taken by the Council Chair, Vice Chair or a member elected as acting Chair** for the particular meeting.
7. **The first items will always be election of acting Chair (where necessary)** and approval of the previous minutes as a true record. **The current Chair will sign the minutes** and only the accuracy may be discussed.
8. County and District Councillors will be invited to attend.
9. The press & public will be permitted to attend and all parish electors must be allowed to speak & vote. If agreed by the electors, the meeting may be adjourned for non-electors to speak.
10. To ensure speakers keep to the point, a maximum of 5 minutes will be allotted to each.
11. A vote on any matter raised will normally be by a show of hands. However a poll of all electors, conducted by the BC returning officer, may be requested by ten or more of those electors present.
12. Binding decisions may only be taken on issues contained in the agenda
13. Decisions regarding the provision of allotments are binding on the Council.
14. Given sufficient attendance, the Chairman will give a report on Council activity over the year. In addition the County and District Councillors will be invited to speak.
15. Any costs will be met by the Council.
16. Items in **bold type** above may not be suspended.

# Fincham Parish Council Diary

	<b>Procedural</b>	<b>Financial</b>
<b>April</b>	Parish Assembly	Year End Accounts Prepared NALC subs due  VAT Reclaim Year End Payroll Prepared
<b>May</b>	AGM (Annual Parish Meeting) Allotment inspection	Annual Return & Governance Statement Prepared
<b>June</b>		
<b>July</b>		
<b>August</b>	Allotment rent review Council insurance review	
<b>September</b>		Council insurance premium due Allot drainage fees due
<b>October</b>		Staff Salary Review VAT Reclaim
<b>November</b>		
<b>December</b>		
<b>January</b>	Budget/precept review	
<b>February</b>		
<b>March</b>	Standing order review (adopt May) Risk assess. review (adopt May)	

# Members' Code of Conduct

The Code says:

1. Members must comply with the code
2. Members must not discriminate
3. Members must treat others with respect
4. Members must not do anything to compromise the impartiality of those who work for or on behalf of the authority
5. Members must not breach confidences or prevent access to information that a person is lawfully entitled to
6. Members must not bring the Council into disrepute
7. Members must not misuse the power as a member to confer advantage or disadvantage
8. Members must give reasons for executive decisions
9. Members must report breaches to the Standards Board
10. Members must declare non-pecuniary interests and record them
11. Members must beware of other interests where the Public may think you are prejudiced
12. Members must declare pecuniary interests
13. Members must register financial interests
14. Members must register other interests (non-financial) too
15. Members must register all changes to interests
16. Members must register gifts received if worth more than £25

## Other or Non-Pecuniary Interests

### **Do I have an Other or Non-pecuniary interest?**

I have if either

- a) it is an interest that I should have declared in the Register of Members Interests.

Or

- b) does the decision affect the well being or financial position of me or one of my relatives or friends (this includes any employment or business of such people) to a greater extent than other Council Tax payers, Rate payers or inhabitants of the authority's area.

### **What do I do if I have an Other or Non-Pecuniary Interest?**

Declare it at the meeting.

## Pecuniary Interests

This is an Other or Non-Pecuniary Interest with the addition of the following:

An interest which a member of the Public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Councillor's judgement of the public interest.

## Exceptions

(still declare)

- Matter related to another authority of which he/she is a member
- Another Public authority
- A body to which he/she has been appointed as the authority's representative
- A housing function where the member holds a lease or tenancy (provided arrears are not more than two months) and don't relate to the member's tenancy or lease
- Decisions on statutory sick pay where the member is in receipt
- Functions relating to members' allowances

***The full text of the Code is available from the Clerk***

# Fincham Publication Scheme

(The model publication scheme for local councils)

## ***Adopted December 2008 - Extract from FOI Model***

1. This is a model publication scheme for parish, town and community councils (known collectively as 'local councils') in England and Wales. Local councils are the first tier of local government. There are over 10,000 such councils in England and Wales and they have a wide range of powers at their disposal.

The purpose of the scheme is to be a means by which local councils can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local councils to publish more information proactively and to develop a greater culture of openness and transparency.

2. In accordance with the provisions of the Freedom of Information Act 2000 the scheme specifies the classes of information which local councils publish or intend to publish. Bearing in mind local councils are so diverse in size and functions it was decided the most practical approach was that the model scheme should firstly be comprised of a number of core classes of information which are mandatory. However, it also includes a number of optional documents (within those core classes) as well as a group of totally 'new' optional classes. Any optional documents within a core class of information are clearly specified therein. The idea behind such an approach is that councils can incorporate the optional documents and classes as they see fit to reflect the information they provide to the general public on a local basis. It is not however, a prerequisite that a council adopts any of the optional documents or classes. The intention behind the inclusion of optional classes and documents is to add a degree of choice and flexibility in the scheme.

In some cases a class of information sets out a range of information which is excluded from publication. Where that is the case the reasons behind the decision to exclude are clearly stated. Excluded throughout the model scheme is general correspondence sent or received by councils and all information relating to private individuals by virtue of it being personal data under the Data Protection Act 1998.

In certain classes a limitation on the age of some documents has also been stipulated. For the avoidance of doubt this does not mean information beyond that date cannot be obtained, it simply indicates that it is not available as a matter of course within the model publication scheme.

If original documents are more readily available from another source, details of that organisation are again specified in the scheme.

3. The information contained in each class will be available in a variety of formats namely in hard copy on request from the clerk of the council, by inspection at the council office or other suitable premises by prior appointment or, where a council has a website some of the information may be available thereon.
4. Reasonable charges may be raised for the provision of copies of the documents/information listed in each of the classes.

The classes are as follows:-

## **CORE CLASSES OF INFORMATION**

### **1) COUNCIL INTERNAL PRACTICE AND PROCEDURE**

Minutes of council, committee and sub-committee meetings – limited to the last 2 years.  
Procedural Standing Orders  
Councils Annual Report to Parish Meeting

#### **Optional documents: -**

Agendas and supporting papers for council, committee and sub-committee meetings-limited in each case to the forthcoming/immediate meeting.  
Terms of Reference for Committees

### **2) CODE OF CONDUCT**

Members Declaration of Acceptance of Office  
Members Register of Interests  
Register of Members Interests Book

### **3) PERIODIC ELECTORAL REVIEW**

This is information concerning changes to the electoral arrangements for parish, town and community councils. It includes recommendations for the creation of new wards, the amendment of existing wards, proposals for the names of new wards and alterations to the number of councillors to be elected to the council.

Information relating to the last Periodic Electoral Review of the council area  
Information relating to the latest boundary review of the council area

### **4) EMPLOYMENT PRACTICE AND PROCEDURE**

Terms & conditions of employment  
Job descriptions

#### **Optional documents: -**

Equal Opportunities Policy  
Health & Safety Policy  
Staffing Structure

Exclusions – ‘personal records’ i.e. appraisals, employee specific salary details, disciplinary records, sickness records and the like by virtue of being personal data under the Data Protection Act 1998

### **5) PLANNING DOCUMENTS**

Responses to planning applications

#### **Optional documents: -**

Parish Plan

Exclusions – Copies of planning consultations, the Development Plan, Structure Plan, Local Plan and Rights of Way/Footpath maps all of which are available from the local planning and/or highway authority respectively

### **6) AUDIT AND ACCOUNTS**



Annual return form – limited to the last financial year  
Annual Statutory report by auditor (internal and external) – limited to the last financial year  
Receipt/Payment books, Receipt books of all kinds, Bank Statements from all accounts – limited to the last financial year  
Precept request – limited to the last financial year  
VAT records – limited to the last financial year  
Financial Standing Orders and Regulations  
Assets register – this will include details of commons/village greens owned by the council including management schemes for commons as well as village halls, community centres and recreation grounds.  
Risk Assessments

**Optional documents: -**

Loan sanction approvals  
Fees and charges applied by the council  
Safety inspection records for example for playgrounds  
Register/file of members allowances

Exclusions – all commercially sensitive information e.g. quotations and tenders, loan documentation and insurance policies. With regard to quotations and tenders, this information is treated as confidential to ensure that the whole tender process is fair i.e. if tender information is released to a third party prior to the end of the tender period those who initially submitted tenders could be undercut and/or unfairly disadvantaged.

The full text of the scheme is available from the Clerk.

# Equal Opportunities Policy Statement

## ***Introduction***

The Council encourages fair treatment and promotion of equal opportunities for everyone, regardless of their race, disability, gender, colour, nationality or national or ethnic origin.

The Council is a provider of a wide range of services to the people of Fincham and employs a Parish Clerk. We have both a legal and moral responsibility to be fair and just in all that we do. Each member of our community is entitled to expect fair and equal treatment in all dealings with the Council.

The Council recognises that it has specific responsibilities under all equalities legislation, including the Equal Pay Act (1970) amended 1990, Sex Discrimination Act (1975) amended 1986, Race Relations Act (1976) amended 2000 and Disability Discrimination Act (1995).

The Council is committed to taking effective action to achieve its goal of removing discrimination and inequitable barriers. We will make the best possible use of our resources to ensure that employment opportunities and service provision are bias free and readily accessible to people with differing needs.

## ***Statement of Intent***

The Council is committed to the elimination of discrimination and promotion of equality of opportunity for all citizens and will work towards this goal, both in the provision of services and employment.

In all its activities, the Council will endeavour to treat all people equally and fairly whether they are:

- Seeking employment with the Council or already employees of the Council.
- Users of, or potential users of, Council services or facilities owned by the Council (e.g. Nature Reserve).
- Contracting to supply services or goods to the Council.
- Seeking financial assistance from the Council.

The Council will not discriminate directly or indirectly through applying conditions or requirements which can not be shown to be justified.

The Council aims to make equality of opportunity an integral part of its values, policies and practices and to promote equal opportunities in the wider parish community.

In pursuit of excellence of service to the customer, the Council will seek to identify where groups or individuals face particular disadvantages and consider how services can best respond.

The Council recognises that monitoring is essential to form a picture of what is happening in terms of employment, service delivery and to evaluate how successful the Policy is in practice, in achieving its aims and objectives. It also recognises that it must monitor and review its policies and practices to ensure that its overall intentions are being met.

# Child Protection Policy

## Fincham Parish Council

### ***A Policy Statement On Child Protection***

The body listed above, manned in all cases by community volunteers, endorse in full the Child Protection Policy advised by Sport England. With reference to the community which these bodies serve, the following is a statement of the specific policy adopted and distributed to all staff, coaches and responsible individuals who may, in the course of their work on behalf of the community, come into contact with children. For the purpose of this policy, children are recognised as all young people under the age of 18 years.

### **Child Protection Policy**

We will endeavour to safeguard children by:

Adopting child protection policies and guidelines through a code of behaviour for staff and volunteers.

Sharing information about concerns with agencies who need to know and involving parents and children accordingly.

Ensuring that the Criminal Records Bureau, in accordance with their guidelines, checks all staff and volunteers with responsibility for children.

Making all new staff and volunteers aware of our child protection procedures and policies.

Appointing two designated people to enable concerns to be reported in accordance with our procedures.

We are also committed to reviewing our policy and good practice at regular intervals.

### **Code of Behaviour – All Staff & Volunteers**

#### **You must not:-**

1. Staff and volunteers should not spend excessive amounts of time alone with children away from others. Meetings with individual children should be avoided or take place within the sight of others. If privacy is needed, the door should remain open and the other staff or volunteers should be aware of the meeting.
2. Staff and volunteers are advised not to make unnecessary physical contact with children. However, there may be occasions when physical contact is unavoidable, such as providing comfort at times of distress or physical support in contact sports or similar. In all cases contact should only take place with the consent of the child.
3. It is not good practice to take children alone in a car, however short the journey. Where this is unavoidable, it should be with the full knowledge and consent of the parents (or guardians) and the person in charge of the event/activity.
4. Staff and volunteers should not meet children outside of organised activities unless it is with the knowledge and consent of the parents (or guardians) and the person in charge of the event/activity.

5. Staff and volunteers should not start an investigation or question anyone after an allegation or concern has been raised. This is the job of the authorities. You should just record the facts and report these to the designated person.
6. Staff and volunteers should never (even in fun) –
  - a. Initiate or engage in sexually provocative conversations or activity.
  - b. Allow the use of inappropriate language to go unchallenged.
  - c. Do things of a personal nature for children that they can do themselves.
  - d. Allow any allegations made by a child to go without being reported and addressed, or either trivialise or exaggerate child abuse issues.
  - e. Make promises to keep any disclosure confidential from relevant authorities.
7. Staff and volunteers should not show favouritism towards any one child, nor should they issue or threaten any form of physical punishment.

**You Must:-**

8. Staff and volunteers must respect children's rights to privacy and encourage children and adults to feel comfortable enough to report attitudes or behaviour they do not like.
9. Staff and volunteers will be expected to act with discretion with regards to their personal relationships. They should ensure that their personal relationships do not affect their leadership role within the organisation. All pre-existing relationships between staff/volunteers and/or event/activity participants must be declared.
10. Staff and volunteers must refrain from consuming alcohol for a period of at least twelve hours prior to assuming responsibility for any child or children; or if they have been identified as a duty officer for any period of time.
11. All staff and volunteers should be aware of the procedures for reporting concerns or incidents and should familiarise themselves with the contact details of the designated persons.
12. If a member of staff or a volunteer finds him/herself the subject of inappropriate affection or attention from a child they should make others aware of this.
13. If a member of staff or volunteer has any concerns relating to the welfare of a child in their care, be it concerns about actions/behaviours of another staff member or volunteer or concerns based on any conversations with the child, particularly where the child makes an allegation, they should report this to a designated person.

# Appendix A – Model Agenda

## *Full Council Meeting Agenda*

### FINCHAM PARISH COUNCIL

An Ordinary meeting of the Parish Council will take place on ..... at Fincham Memorial Hall. The meeting will commence at 7.00pm.

**All councillors are summoned to attend.**

#### **Agenda:**

To consider apologies for absence

Declarations of Interest

Public forum for electors to address the Council

To receive report from Council surgery

To accept minutes of meeting held on .....

To report on matters arising from minutes (information only)

To consider Planning matters

To consider Finance matters

To consider correspondence received

To consider and receive reports on Health and Safety issues

To consider internal Council issues

To consider Parish affairs

To propose agenda items for the next meeting

To confirm the date of the next meeting, scheduled for .....at 7.00pm in Fincham Memorial Hall.

Signed..... Dated:  
K Walker: Clerk (Locum)

Items for inclusion must be with the Clerk eight working days before the meeting. Where no request is received or the Clerk has nothing to add, an item will be dropped from the agenda. The agenda will be posted on Parish notice boards at least five clear days before each meeting.

# Appendix B – Planning Applications

## *Procedure for the processing of Planning Applications*

1. Planning applications will be forwarded to the Chair who will call meetings as appropriate to consider the details and decide on appropriate responses. The Clerk will keep a log of applications and forward responses to Borough Council planning.
2. Each council member will forward applications within 48 hours of receipt. If more time is needed, a message will be left for the Clerk who will ask Borough Planning to extend the fourteen day deadline.
3. Applications will be dealt with within Borough Planning's current deadline however where more time is required to properly consider an application, Borough Planning will be asked to extend the deadline.
4. Where a council member is due to be away they will advise the Chair in good time to ensure that a quorum can at all time be maintained.
5. Where a council member has a general interest this should be declared before any discussion takes place. If the interest is prejudicial the member must leave the committee meeting.
6. Councillors will be prepared to give reasons for recommending approval/refusal, if requested to do so by the applicant and/or other interested parties.
7. On return of the application, the Clerk will advise Borough Planning of the majority decision, together with any associated comments.

# Appendix C – Retention of Records

## Retention of records

In accordance with Audit Commission recommendations

Record	Minimum Period	Reason	Method
Minutes	Indefinite	Archive/public access	Hard copy
Title deeds/leases	Indefinite	Audit/management	Hard copy
Register of member's allowances.	6 Years	Income tax	Electronic
Scale of fees/charges	5 years	Management	Electronic
Income & expenditure accts.	Indefinite	Archive	Hard copy/ electronic
Receipt books	6 years	VAT	Hard copy
Bank statements	2 full financial years	Audit	Hard copy
Cheque & paying in books.	2 financial years	Audit	Hard copy
Quotations/ tenders	12 years/ indefinite	Limitations act	Hard copy
Paid invoices	6 years	C&E	Hard copy
VAT records	6 years	C&E	Electronic
Petty cash/postage	6 years	Tax, VAT & Limitation act.	Electronic
Structure/local plans	Whilst in force	Management	Hard copy
Planning applications	5 years	Management	Hard copy
Correspondence	5 years	Management	Hard copy (i/c) Electronic (o/g)
Timesheets	2 full financial years	Audit	Hard copy
Wages	12 years	Tax & Superan.	Electronic
Insurance policies	Whilst valid	Management	Hard copy
Cert. of employer liability	40 years	Possible claims	Hard copy
Allotments	Indefinite	Audit/management	Hard copy/ electronic
Halls & recreation grounds.	6 years	VAT	Hard copy

## Appendix D – Statutory Powers

### *Statutory Powers*

(source NALC)

<b>Function</b>	<b>Powers &amp; Duties</b>	<b>Statutory Provisions</b>
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demanded unsatisfied	<b>Small Holding &amp; Allotments Act 1908, ss. 23, 26, and 42</b>
Baths and Washhouses	Power to provide public baths and washhouses	Public Health Act 1936, Ss 221, 222, 223 and 227
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to agree to maintain monuments and memorials Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Ss 9 and 10; Local Government Act 1972, s. 214; Parish Councils and Burial Authorities (Miscellaneous Provisions) Act 1970, s. 1 Local Government Act 1972, s. 215(6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s. 4
Bye Laws	Power to make bye-laws in regard to pleasure grounds Cycle Parks Baths and Washhouses Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s. 164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duty to receive accounts of parochial charities	Charities Act 1960, s.32
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers as to maintenance	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to enclosure, as to regulation and management, and as to providing common pasture	Enclosure Act 1845; Local Government Act 1894, s.8(4); Smallholdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives	Local Government (Miscellaneous Provisions) Act 1976 s.19
Crime prevention	Powers to spend money on various crime prevention measures	Local Government and Rating Act 1997, s.31
Drainage	Power to deal with ponds and ditches	Public Health Act 1936, s.260
Education	Right to appoint school governors	Education (No.2) Act 1986, s.4
Entertainment and arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Gifts	Power to accept	Local Government Act 1972, s.139



Highways	Power to repair and maintain public footpaths and bridle-ways Power to light roads and public places Provision of litter bins Power to provide parking places for vehicles, bicycles and motor-cycles Power to enter into agreement as to dedication and widening Power to provide roadside seats and shelters, and omnibus shelters Consent of parish council required for ending maintenance of highway at public expense, or for stopping up or diversion of highway Power to complain to district council as to protection of rights of way and roadside wastes Power to provide traffic signs and other notices Power to plant trees etc. and to maintain roadside verges	Highways Act 1980, ss.43,50 Parish Councils Act 1957, s.3; Highways Act 1980, s.301 Litter Act 1983, ss.5,6 Road Traffic Regulation Act 1984, ss.57,63 Highways Act 1980, ss.30,72 Parish Councils Act 1957, s.1 Highways Act 1980, ss.47,116 Highways Act 1980, s.130 Road Traffic Regulation Act 1984, s.72 Highways Act 1980, s.96
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139
Litter	Provision of receptacles	Litter Act 1983, ss.5,6
Lotteries	Powers to promote	Lotteries and Amusements Act 1976, s.7
Mortuaries and post mortem rooms	Powers to provide mortuaries and post-mortem rooms	Public Health Act 1936, s.198
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire land and maintain	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to direct as to their custody	Local Government Act 1972, s.226
Postal and telecom facilities	Power to pay the Post Office, British Telecommunications or any other public telecommunications operator any loss sustained providing post or telegraph office or telecommunication facilities	Post Office Act 1953, s.51; Telecommunications Act 1984, s.97
Public buildings and village hall	Power to provide buildings for offices and for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to acquire land for or to provide recreation grounds, public walks, pleasure grounds and open spaces and to manage and control them Power to provide gymnasiums, playing fields, holiday camps Provision of boating pools	Public Health Act 1875, s.164 Local Government Act 1972, Sched.14 para.27 Public Health Acts Amendment Act 1890 s.44 Open Spaces Act 1906, ss.9 and 10 Local Government (Miscellaneous Provisions) Act 1976, s.19

		Public Health Act 1961, s.54
Town & Country Planning	Right to be notified of planning applications	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to contribute to organisations encouraging	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1; as extended by Local Government Act 1948, s.133
Water Supply	Power to utilise well, spring or stream and to provide facilities for obtaining water therefrom	Public Health Act 1936, s.125

# Appendix E – Action Outside of Meetings

## ***Action Outside Parish Council Meetings Or Decisions***

1. The basic premise must be that the Parish Council is the decision making body, and no individual person whether it be a councillor or an officer can act independently. This is of particular importance or relevance where decisions or actions, which have financial repercussions are concerned.
2. The only exception to the above is where the Council decides to delegate a particular function. Again, delegation cannot be to an individual Councillor - that has been confirmed by the courts as *ultra vires*. Delegation can therefore be to a Committee or Sub-Committee, or to an individual named or designated Officer. The precise arrangement must be the subject of decision by the Parish Council before delegated action can take place. Delegation can be useful in terms of expediency, and also in the efficient conduct of business (e.g. Property Management Committee and the Working Groups). It is not unusual where matters are delegated to Officers; the arrangement is made subject to the proviso 'in consultation with the Chairman'. In good working relationships, that would automatically happen.
3. For the avoidance of any confusion, if the Parish Council gives an individual member a job to do – e.g. to investigate something and to report back, that is not delegation in the strict legal sense described above.
4. The business and the administration of the Parish Council goes on between meetings, with the continuity of the administration down to the Clerk. It is inevitable that things will have to be actioned if urgent or to meet imposed deadlines. The Clerk, will, where necessary, liaise with the Chair and other members of the Council and get confirmation of the action at the next meeting.
5. There is nothing to stop individual Members pursuing things in readiness for an item of business at the next meeting – indeed it is their right and should be encouraged. Individual members must seek to avoid committing or giving the impression of committing the Parish Council to anything, or indulge in action, which might have financial implications. Recipients of approaches from individual Members might unwittingly believe that such approaches are official ones on behalf of the Parish Council when in fact they are not.
6. In short, all official approaches and action on behalf of the Parish Council should go through the Clerk. If in doubt, the Clerk should be consulted.

**The statutory basis for the above is S. 101 of the Local Government Act 1972**

# Appendix F – Section 137

## ***Section 137 (Donations) Powers***

1. May be used to incur expenditure on anything which, in the Council's opinion, is in the interest of and will bring direct benefit to: a) all or part of the Parish b) some or all of its inhabitants.
2. Should not be used to benefit individuals or very small or closed groups.
3. Should only to be used where a statutory power is not already available, and must not be used to overcome a related conditional or limit. (see General Standing Orders appendix E)
4. May be used for publicity only where this is incidental to the main purpose.
5. Can be used to make contributions to any charity for work in the UK, to any body providing public services in the UK (other than for profit) or any appeal fund affecting the UK.
6. The benefit must be commensurate with the expenditure.
7. Total expenditure in any financial year shall not exceed the statutory limit, currently £9.93 pa per parish elector.

Applications will be filtered by the finance committee and only those meeting the above criteria put before the full council. The Council must recognise at the time of commitment that it using section 137 rather than statutory powers, must keep separate records and must place a statement of total spend in the annual accounts.