

# **Brereton Parish Council**

## **Standing Orders**

**Effective Date : October 2013**

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## 1. Meetings

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

- a Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- c Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation in accordance with standing order 1(d) above] shall not exceed 15 minutes.
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business and shall not speak for more than 5 minutes.

- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairperson may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j Any person speaking at a meeting shall address his comments to the Chairperson.
- k Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairperson shall direct the order of speaking.
- l Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.
- m In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- n Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairperson may in their absence be done by, to or before the Vice-Chairperson (if any).

- o The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice-Chairperson, if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- p Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- q The Chairperson may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not he gave an original vote. (*See also standing orders 2 (i) and (j) below.*)
- r Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- s The minutes of a meeting shall record the names of councillors present and absent.
- t The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- u An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (*See also*

*standing orders 7 and 8 below.)*

- 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 3.
  
- • w If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

## **2. Ordinary Council meetings**

*See also standing order 1 above*

- a Meetings of the Council shall be held at Brereton Primary School starting at 7.30 pm unless the Council otherwise decides at a previous meeting.
- b In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- c Other meetings shall be held as follows:
  - i Parish Council meetings, on Mondays as agreed with the Parish Council. Other meetings as required at the discretion of the Council.
- d In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.
- e If no other time is fixed, the annual meeting of the Council shall take place at 7pm.
- f 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.
- g At the annual meeting of the Council the first order of business shall be Standing orders followed by the election of Chairperson and Vice-Chairperson of the Council.
- h The Chairperson of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual

meeting of the Council.

- i The Vice-Chairperson of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairperson of the Council at the next annual meeting of the Council.
- j In an election year, if the current Chairperson of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chairperson of the Council has been elected. The current Chairperson of the Council shall not have an original vote in respect of the election of the new Chairperson of the Council but must give a casting vote in the case of an equality of votes.
- k In an election year, if the current Chairperson of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairperson of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairperson of the Council and must give a casting vote in the case of an equality of votes.
- l In an election year, Councillors should execute Declaration of Acceptance of Office, in each others presence or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.  
At each Annual Meeting the first business shall be:-
  - i. To approve Standing Orders
  - ii. To elect a Chairperson
  - iii. To receive the Chairperson's Declaration of Acceptance of Office, or if not then received, to decide when it shall be received.
  - iv. To decide when any declarations of acceptance of office which have not been received as provided by law shall be

received.

- v. To elect a Vice Chairperson
- vi. To appoint Committees
- vii. To appoint representatives for VHPFF, Assoc of Parish/Town Council.
- viii. To consider the payment of any subscriptions falling to be paid annually.
- ix. To appoint cheque signatories.

m At every meeting other than the Annual Meeting, the first business shall be to appoint a Chairperson if the Chairperson and Vice Chairperson be absent, and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

n

After the first business has been completed, the order of business unless the Council otherwise decides on ground of urgency, shall be as follows:

- i. To consider the minutes. Provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- ii. After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- iii. To deal with business expressly required by statute to be done.
- iv. To dispose of business, if any, remaining from the last meeting.
- v. To receive reports from the Ward Councillor.
- vi. To receive such communications as the person presiding may wish to lay before the Council.
- vii. To receive and consider reports and minutes of committees.
- viii. To receive and consider reports from the Clerk.

- ix. To consider resolutions or recommendations in the order in which they have been notified.
  - x. Any other matters specified in the summons.
- I A motion to vary the order of business on the grounds of urgency
- i. may be proposed by the Chairperson or by any member and, if proposed by the Chairperson may be put to the vote without being seconded, and
  - ii. shall be put to the vote without discussion.

### **3. Proper Officer**

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following  
Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk.
  - To receive declarations of acceptance of office.
  - To receive and record notices disclosing pecuniary interests.
  - To receive and retain plans and documents where possible.
  - To sign notices or other documents on behalf of the Council.
  - To receive copies of bylaws made by the Borough Council.
  - To sign summonses to attend meetings of the Council
- i. To attend to other duties at the discretion of the Council Give public notice of the time, date, venue and agenda at least 3 clear business days before a meeting of the Council or a

- meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
- ii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 3 clear business days before the meeting confirming his withdrawal of it.
  - iii. Convene a meeting of full Council for the election of a new Chairperson of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.
  - iv. Make available for inspection the minutes of meetings.
  - v. Receive and retain copies of byelaws made by other local authorities.
  - vi. Receive and retain declarations of acceptance of office from councillors.
  - vii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - viii. Keep proper records required before and after meetings;
  - ix. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xii. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - xiii. Record every planning application notified to the Council and the Council's response to the local planning authority .
  - xiv. Refer a planning application received by the Council to the

Chairperson or in their absence the Vice-Chairperson of the Planning Committee within 2 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 OR Planning committee.

- xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- c BPC agree a deputy to stand in for the Parish Clerk during period of absence.

#### **4. Resolutions requiring written notice**

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairperson of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

- e Having consulted the Chairperson or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## **5. Resolutions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice.
  - i. To appoint a person to preside at a meeting.
  - ii. To approve the absences of councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.

- viii. To close or adjourn debate.
- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- xi. To receive nominations to a committee or sub-committee.
- xii. To dissolve a committee or sub-committee.
- xiii. To note the minutes of a meeting of a committee or sub-committee.
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds to be signed by two councillors and witnessed.  
*(See standing orders 14(a) and (b) below.)*
- xvii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xviii. To extend the time limit for speeches.
- xix. To exclude the press and public for all or part of a meeting.
- xx. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxi. To give the consent of the Council if such consent is required by standing orders.
- xxii. To suspend any standing order except those which are mandatory by law.
- xxiii. To adjourn the meeting.
- xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxv. To answer questions from councillors.

- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairperson may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## **6. Rules of debate**

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairperson's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairperson, be reduced to writing and handed to the Chairperson who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
  - i. to leave out words;

- ii. to add words;
  - iii. to leave out words and add other words.
- 
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
  - h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairperson. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
  - i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairperson considers this expedient but shall be voted upon separately.
  - j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
  - k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairperson.
  - l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
  - m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
  - n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and

immediately before it is put to the vote.

- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
  
- 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 irregularity in the meeting he is concerned by.
  
- q A point of order shall be decided by the Chairperson and their decision shall be final.
  
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
  
- s Subject to standing order 6(o) above, when a councillor's 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 silent or for him 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;

- ix. to suspend any standing order, except those which are mandatory.
  
- t In respect of standing order 6(s)(iv) above, the Chairperson shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairperson shall call upon the mover of the motion under debate to exercise or waive their right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## **7. Code of conduct**

- a All councillors shall observe the code of conduct adopted by the Council (see Code of Conduct for Members policy )
  
- b Councillors with a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

## **8. Questions**

- a A councillor may seek an answer to a question concerning any business of the Council provided 5 clear days notice of the question has been given to the Proper Officer.
  
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
  
- c Every question shall be put and answered without discussion.

## 9. Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairperson of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairperson of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairperson 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 their view was not upheld by the majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## **10. Disorderly conduct**

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

## **11. Rescission of previous resolutions**

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 2 members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **12. Voting on appointments**

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an

absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairperson's casting vote.

### **13. Expenditure**

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations (see Section 30, Financial Matters).
- b The Council's financial regulations shall be reviewed once a year.
- c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.
- d Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another Committee after recommendation by the Finance Committee and which if carried, would in the opinion of the Chairperson, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any Committee or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any committee affected by it shall consider whether it desires to report thereon (and the Finance committee shall report on the financial aspect of the matter).

- e Orders for the payment of money shall be authorised by resolution of the Council and signed by two members who shall be appointed at each Annual meeting or by further resolution.

## **14. Committees**

*See also standing order 1 above*

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;
  - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 2 days before the meeting that they are unable to attend;
  - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
  - vi. may in accordance with standing orders, dissolve a committee at any time.

## **15. Sub-committees**

*See also standing order 1 above*

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

## **16. Extraordinary meetings**

*See also standing order 1 above*

- a The Chairperson of the Council may convene an extraordinary meeting of the Council at any time.
- b If the Chairperson of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.
- c The Chairperson of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairperson of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 3 councillors, those 3 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 3 councillors.

## **17. Advisory committees**

*See also standing order 1 above*

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

## **18. Accounts and Financial Statement**

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b At every Parish Council meeting the Responsible Financial Officer shall supply each councillor with a statement summarising the Council's receipts and payments for the preceeding month. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.
- c Except as provided in paragraph (b) of this Standing Order or by statue, all accounts for payment and claims upon the Council shall be laid before the Council and entered in the minutes of the Parish Council prior to payment and inclusion in the monthly Schedule of Payments.
  - i. Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified

- as to its correctness and urgency by the appropriate Officer.
- ii. Such payment shall be authorised by the committee if any, having charge of the business to which it relates, or by the Chairperson or Vice Chairperson of the Council.
  - iii. All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
  - iv. The Clerk is authorised to purchase stationery items prior to authorisation by the Council providing the Budget figure for the year is not exceeded. The amount to be authorised by the Parish Council at its next monthly meeting.
  - v. Members must not sign blank cheques in any circumstances.
- d The Responsible Financial Officer shall be the Clerk who will comply with the duties laid down below.:
- i. Prepare financial reports to the Finance Committee. Reports to cover budget monitoring, Council Fund balances, Receipts to date, Payroll Summary, Payment of Accounts and other relevant matters.
  - ii. Submit precept to Borough Council and supply any breakdown requested.
  - iii. Enter regularly all monies received and expended by the Council.
  - iv. Ensure that any money due to the Council is billed and is in all cases collected promptly.
  - v. Identify the duties of all officers, including herself, dealing with financial transactions and ensure as far as possible, the division of responsibilities of those officers in relation to significant transactions and ensure that there is as much internal checking as possible.
  - vi. Manage cash flow and control of investments and bank transfers

- vii. Overall management of payroll. Ensure payment of tax and national insurance.
  - viii. Overall responsibility for submission of VAT returns and dealing with VAT inspections.
  - ix. Review verification and allocation of invoices prior to certification for payment.
  - x. Prepare and balance financial accounts in accordance with Accounts and Audit regulations 1996 and report thereon to Finance committee and Council.
  - xi. Monitor compliance with Councils Financial regulations and ensure that correct financial systems are in place.
  - xii. Management of Insurance Risk; Process claims as necessary.
  - xiii. Maintain Council's Register of Property and Assets.
- e Internal Auditor will be elected at the Annual meeting and examine the system of internal control under the following headings, presenting an annual written report to the Council at the April meeting but in any case no later than the May meeting.
- Proper Bookkeeping
  - Standing Orders and Financial Regulations adopted and applied
  - Payment Controls
  - Risk Management arrangements
  - Budgetary Controls
  - Income Controls
  - Payroll Controls
  - Asset Controls
  - Bank Reconciliations
  - Year End Procedures
- f The Audit to be completed after quarter end (June, September, December, March)
- The internal Auditor must report immediately to the Chairperson of

the Council any discrepancies requiring investigation.

- g The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial year, a Financial Account but in any case not later than the May meeting.

## **19. Estimates/precepts**

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

## **20. Canvassing of and recommendations by councillors**

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

## **21. Inspection of documents**

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

## **22. Unauthorised activities**

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

## **23. Confidential business**

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

## **24. Matters affecting council employees**

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Chairperson of the Parish

Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

- b Subject to the Council's policy regarding absences from work, the Council's Proper Officer shall notify the Chairperson of the Parish Council or, in their absence, the Vice-Chairperson of the Parish Council of any absence occasioned by illness or urgency and that person shall report such absence to the Chairperson of the Parish Council.
  
- c The Chairperson of the Parish Council or in their absence, the Vice-Chairperson shall upon a resolution conduct a review of the performance and/or appraisal of [the employee's job title] and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by Chairperson of the Parish Council or the Vice Chairperson of the Parish Council.
  
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairperson of the Parish Council or in their absence, the Vice-Chairperson of the Parish Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Brereton Parish Council.
  
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Parish Clerk [or any other employee] relates to the Chairperson or Vice-Chairperson of the Council this shall be communicated to other members of the Council, which shall be reported back and progressed by resolution of the Council.
  
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and

disciplinary matters.

- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.

## **25. Freedom of Information Act 2000**

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

## **26. Relations with the press/media**

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in

accordance with the Council's policy in respect of dealing with the press and/or other media.

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

## **27. Financial matters**

- a Where it is intended to enter into a contract exceeding £500.00 but not exceeding £5,000.00 in value for the supply of goods and services or for the execution of works three quotations or estimates are to be obtained or document why a single tender process has been considered appropriate if multiple quotes are not sought. When a contractor has been placed on the Council's list of approved contractors and has provided a quotation or estimate acceptable to the Council for the supply of goods and services or for the execution of works then a second quotation or estimate need not be obtained.
- b Where it is intended to enter into a contract exceeding £5,000.00 but not exceeding £20,000.00 in value for the supply of goods and services or for the execution of works three quotations or estimates are to be obtained.
- c Where it is intended to enter into a contract estimated as exceeding £20,000 in value for the supply of goods, materials and services or for the execution of works, the clerk shall give at least three week's public notice of such intention in the same manner as a public notice of meetings of the Council is given. The Clerk shall also give notice of intention to place such a contract in a local newspaper.  
A specification of the goods, materials, services and the execution of works shall be drawn up.

- Tenders are to be sent, in a sealed marked envelope, to the

Clerk by a stated date and time.

- Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council.
  - Tenders are then to be assessed and reported to the next meeting of the Council or Committee.
  - If no tenders are received or if all the tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
  - Neither the Council nor Committee is bound to accept the lowest tender.
  - A notice issued under this Standing Order shall contain a statement of the effect of Standing Order Nos. 54 and 56.
- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.
- c Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

## **28. Allegations of breaches of the code of conduct**

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Chairperson of the Parish Council.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairperson of the Parish

Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
  
- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairperson of the Parish Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
  - i Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
  - ii Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
  - iii Ensure that the public and press are excluded from meetings as appropriate.
  - iv Ensure that the minutes of meetings preserve confidentiality.
  - v Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
  
- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairperson of the Parish Council or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

- f The Chairperson shall have the power to:
  - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
  
- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

## **29. Variation, revocation and suspension of standing orders**

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

## **30. Standing orders to be given to councillors**

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
  
- b The Chairperson's decision as to the application of standing orders at meetings shall be final.
  
- c A councillor's failure to observe standing orders more than 3 times

in one meeting may result in him being excluded from the meeting in accordance with standing orders.