

Dronfield Town Council



Part 1 **Standing Orders** **of the Council**

Part 2 **Financial** **Regulations**

Part 3 **Code of Conduct**

Revised 7/1/13

Part 1

Standing Orders

1. MEETINGS

- 1a **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.**
- 1b **When calculating the three 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.**
- 1c **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.**
- 1d 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.
- 1e The period of time which is designated for public participation in accordance with standing order 1(d) above] shall not normally exceed fifteen minutes, but may be extended at the Town Mayor (Town Mayor (Chair)'s) discretion.
- 1f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than five minutes.
- 1g 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.
- 1h In accordance with standing order 1(g) above, the Town Mayor (Chair) may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- 1i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 1j Except at the Annual Meeting a member shall remain seated when speaking unless permitted by the Town Mayor (Chair) to stand.
- 1k Any person speaking at a meeting shall address their comments to the Town Mayor (Chair).
- 1l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Town Mayor (Chair) shall direct the order of speaking. Whenever the Town Mayor (Chair) speaks during a debate all other Members shall be silent.
- 1m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent.**
- 1n **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.**
- 1o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor (Chair) may in his absence be done by, to or before the Vice Town Mayor (Chair) (if**

any).

- 1p **The Town Mayor (Chair), if present, shall preside at a meeting. If the Town Mayor (Chair) is absent from a meeting, the Vice-Town Mayor (Chair), if present, shall preside. If both the Town Mayor (Chair) and the Vice-Town Mayor (Chair) are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- 1q **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.**
- 1r **The Town Mayor (Chair) 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.**
- 1s **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.**
- 1t **The minutes of a meeting shall record the names of Councillors present and absent.**
- 1u **If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution; such resolution shall be recorded in the minutes of the meeting at which the approval was given.**
- 1v **The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**
- 1w **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.**
- 1x **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.**
- 1y **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.**
- 1z **Meetings shall not exceed a period of two hours.**

2. ORDINARY COUNCIL MEETINGS (SEE ALSO STANDING ORDER 1 ABOVE)

- 2a **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.**
- 2b **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.**
- 2c **If no other time is fixed the Annual Meeting of the Council shall take place at 6.00pm. The Annual Meeting of the Council shall take place at 7.30pm.**
- 2d **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.**
- 2e **The election of the Mayor and Deputy Mayor of the Council shall be the first business completed at the Annual Meeting of the Council.**
- 2f **The Town Mayor (Chair) of the Council, unless he has resigned or become disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**

- 2g **The Vice-Town Mayor (Chair) of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor (Chair) of the Council at the next Annual Meeting of the Council.**
- 2h **In an election year, if the current Town Mayor (Chair) of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Town Mayor (Chair) has been elected. The current Town Mayor (Chair) of the Council shall not have an original vote in respect of the election of the new Town Mayor (Chair) of the Council but must give a casting vote in the case of an equality of votes.**
- 2i At each Annual Meeting of the Town Council, the first business shall be:
- i. In an election year, delivery by Councillors of their declarations of acceptance of office.
 - ii. To elect The Town Mayor.
 - iii. To receive the Town Mayor's Declaration of Acceptance of Office.
 - iv. To elect The Deputy Town Mayor. Nominations for the position of The Deputy Town Mayor.
 - v. To elect The Leader of the Council.
 - vi. To elect The Deputy Leader of the Council.
 - vii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
 - viii. Receipt of nominations to any committees, advisory committees/sub-committees/working groups.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the Annual Meeting, to review and make arrangements to reaffirm eligibility.
- 2j Council will at its June Ordinary Meeting:
- i. Review of delegation arrangements to any committees, sub-committees, working parties, employees and other local authorities.
 - ii. Review of the terms of references for any committees, sub-committees/working parties.
 - iii. Review and adoption of appropriate standing orders and financial regulations.
 - iv. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - v. Review of inventory of land and assets including buildings and office equipment.
 - vi. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - vii. Establish or reviewing the Council's complaints procedure.
 - viii. Establish or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - ix. Establish or reviewing the Council's policy for dealing with the press/media.
- 2k At each Ordinary Meeting of the Town Council, the first business shall be to receive such declarations of registerable interests (if any) as are required by law to be made. Thereafter the order of business unless the Council decides otherwise, on the ground of urgency, shall be as follows:
- i. To deal with business expressly required by statute to be done.
 - ii. To receive such communications as the presiding Town Mayor (Chair) may wish to lay before the Council.
3. PROPER OFFICER
- 3a The Council's Proper Officer shall be either (i) the Clerk to the Council 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.
- i. The Council's Proper Officer shall do the following. **[Sign and serve on Councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee, sub-committee at least three clear working days before the meeting].**
 - ii. **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub- committee, (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
 - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a

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

4. MOTIONS REQUIRING WRITTEN NOTICE

- 4a In accordance with standing order 3(b) (iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least seven clear days before the next meeting.
- 4.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.
- 4c 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 five clear days before the meeting.
- 4d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Town Mayor (Chair) 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.
- 4e Having consulted the Town Mayor (Chair) 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.
- 4f 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.
- 4g 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.
- 4h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

- 5a 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 working group any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee or Advisory Committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee or Advisory Committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub- committee or Advisory 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 sealed by the Council's common seal] OR [signed by two Councillors] and witnessed (*See standing orders 14(a) and (b) below.*)
 - xvii. To authorise the payment of monies in line with Financial Regulations.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it?
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from Councillors.
- 5b 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 Town Mayor (Chair) may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. RULES OF DEBATE

- 6a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Town Mayor (Chair)'s direction for reasons of expedience.
- 6b Subject to standing orders 4(a)–(e) above, a motion shall not be discussed unless it has been proposed and seconded.
- 6c 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.
- 6d 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 Town Mayor (Chair), be reduced to writing and handed to the Town Mayor (Chair) who shall determine the order in which they are considered.
- 6e A Councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

- 6f 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.
- 6g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 6h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Town Mayor (Chair). No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- 6i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Town Mayor (Chair) considers this expedient but shall be voted upon separately.
- 6j 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.
- 6k If an amendment is not carried, other amendments shall be moved in the order directed by the Town Mayor (Chair).
- 6l 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.
- 6m The mover of a motion or the mover of an amendment shall have the right of reply, not exceeding five minutes,
- 6n 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.
- 6o 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.
- 6p 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 they consider has been breached or specify the irregularity in the meeting they are concerned by.
- 6q A point of order shall be decided by the Town Mayor (Chair) and his decision shall be final.
- 6r 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.
- 6s 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 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.
- 6t In respect of standing order 6(s) (iv) above, the Town Mayor (Chair) shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Town Mayor (Chair) 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 SEE ALSO MODEL STANDING ORDERS 1(D)-(I) ABOVE

7a **All Councillors shall observe the code of conduct adopted by the Council.**

7b All Councillors shall undertake training in the code of conduct within Six months of the delivery of their declaration of acceptance of office.

7c Where a member has a disclosable pecuniary interest in any business of the authority they must withdraw from the meeting room (including the public gallery) whenever it becomes apparent that the business is being considered, unless the member has been granted a dispensation from the Town Clerk.

7d Where a member has a significant other interest in any business of the authority they must withdraw from the meeting room (including the public gallery) whenever it becomes apparent that the business is being considered.

7e A member with a significant other interest in any business of the authority may still attend that meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose. Immediately after making representations, answering questions or giving evidence the member must withdraw from the meeting room (including the public gallery) for the consideration and vote on the business.

8. QUESTIONS

8a A Councillor may seek an answer to a question concerning any business of the Council provided five clear days notice of the question has been given to the clerk to the Council.

8b 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.

8c Every question shall be put and answered without discussion.

9. MINUTES

9a 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.

9b 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.

9c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Town Mayor (Chair) of the meeting and stand as an accurate record of the meeting to which the minutes relate.

9d If the Town Mayor (Chair) 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 Town Mayor (Chair) 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."

9e 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

- 10a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 10b If, in the opinion of the Town Mayor (Chair), there has been a breach of standing order 10(a) above, the Town Mayor (Chair) shall express that opinion and thereafter any Councillor (including the Town Mayor (Chair)) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 10c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Town Mayor (Chair) 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

- 11a A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof bears the names of at least eight Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- 11b 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 six months.

12. VOTING ON APPOINTMENTS

- 12a 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. Any tie may be settled by the Town Mayor (Chair) casting vote.

13. EXPENDITURE

- 13a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

13b The Council's financial regulations shall be reviewed once a year.

- 13c 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.** Orders for the payment of money shall be signed, after appropriate examination of supporting documents, by any two Members of the following:

- i. The Town Mayor
- ii. The Deputy Mayor
- iii. The Leader of the Council
- iv. The Deputy Leader of the Council

And as third signatory

- i. Responsible Finance Officer if available within reasonable timescale.
- ii. In the absence of the Responsible Finance Officer, the third signatory may be the Clerk to the Council.

The supporting documentation will be initialled by the cheque signatories to evidence that it has been matched to the order for payment.

In the event that one Member fulfils two of the above roles, a fourth member for payment order signatories should be elected at the Annual Meeting in order to ensure full operational capability of the Council at all times.

14. EXECUTION AND SEALING OF LEGAL DEEDS SEE ALSO STANDING ORDER 5(A)(XVI) ABOVE

- 14a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

- 14b In accordance with a resolution made under standing order 14(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

15. COMMITTEES SEE ALSO STANDING ORDER 1 ABOVE

- 15a The Council may, at its Annual Meeting, appoint standing committees; sub-committees and working groups and may at any other time appoint such other committees, sub-committees and working groups 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 one day before the meeting that they are unable to attend;
 - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
 - vi. may in accordance with standing orders, dissolve a committee at any time.

16. SUB-COMMITTEES SEE ALSO STANDING ORDER 1 ABOVE

- 16a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17. EXTRAORDINARY MEETINGS SEE ALSO STANDING ORDER 1 ABOVE

- 17a **The Town Mayor (Chair) may convene an extraordinary meeting of the Council at any time.**

- 17b **If the Town Mayor (Chair) does not or refuses to call an extraordinary meeting of the Council within Seven 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.**

- 17c The Town Mayor (Chair) of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.

- 17d If the Town Mayor (Chair) of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two Councillors, those two 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 two Councillors.

18. ADVISORY COMMITTEES SEE ALSO STANDING ORDER 1 ABOVE

- 18a The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors.
- 18b Advisory committees and any sub-committees may consist wholly of persons who are non-Councillors.

19. ACCOUNTS AND FINANCIAL STATEMENT

- 19a 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.
- 19b The RFO shall supply a schedule of receipts and payments made since the last report, and a recently completed Bank Reconciliation, to Members on a monthly basis, except in August. The RFO shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of the following month of June. The Annual Return, which is subject to external audit, and includes the Statement of Accounts of the Council, the annual governance statement, and an Internal Audit Report, shall be presented to Council for formal approval before 30 June.

20. ESTIMATES/PRECEPTS

- 20a **The Council shall approve written estimates for the coming financial year at its meeting before the end of**

January.

20b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

21a 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.

21b 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.

21c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22. INSPECTION OF DOCUMENTS

22a Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

23. UNAUTHORISED ACTIVITIES

23a Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

24. CONFIDENTIAL BUSINESS

24a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.

24b A Councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25. POWER OF WELL-BEING

25a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.**

25b **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**

25c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26. MATTERS AFFECTING COUNCIL EMPLOYEES

26a If a meeting considers any matter personal to a Council employee, it shall not be considered until Members have decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

26b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Town Mayor (Chair) or, in the Chair's absence the Deputy Mayor (Vice-Chair) of any absence of that most senior employee occasioned by illness or urgency and the Member so informed shall report such absence to the next Council meeting.

These Member responsibilities may be delegated to the Town Mayor (Chair) or Vice Town Mayor (Chair) of a Committee or Sub-Committee, and absence reporting may be delegated to a Committee or Sub-Committee.

- 26c The Town Mayor (Chair), or in his/her absence, the Vice-Town Mayor (Chair) shall upon a resolution conduct a review of the performance and/or appraisal of the Council's most senior employee and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by Council.

These Member responsibilities may be delegated to the Town Mayor (Chair) or Vice-Town Mayor (Chair) of a Committee or Sub-Committee, and review and/or appraisal reporting may be delegated to a Committee or Sub-Committee

- 26d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Town Mayor (Chair) or in his/her absence, the Vice-Town Mayor (Chair) Mayor in respect of an informal or formal grievance matter and this matter shall be reported back and progressed by resolution of the Council. These Member responsibilities may be delegated to the Town Mayor (Chair) or Vice-Town Mayor (Chair) of a Committee or Sub-Committee, and reporting back and progression by resolution may be delegated to a Committee or Sub-Committee.

- 26e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Council's most senior employee relates to the nominated Member in 26(d) above, this shall be communicated to another member of Council, or if applicable, the Committee that has been assigned delegated powers.

- 26f 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.

- 26g 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.

- 26h 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.

- 26i 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.

- 26j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Council's most senior officer and/or the Town Mayor (Chair) or if applicable, the Committee that has been assigned delegated powers.

27. FREEDOM OF INFORMATION ACT 2000

- 27a 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.

- 27b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Town Mayor (Chair) of the Council, or if applicable, the Committee that has been assigned delegated powers. The responsible Council/Committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b) (x) above.

28. RELATIONS WITH THE PRESS/MEDIA

- 28a 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.

- 28b In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29. LIAISON WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- 29a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County representing its electoral ward.
- 29b Unless the Council otherwise orders, a copy of each letter sent to the District or County shall be sent to the District or County Councillor representing its electoral ward.

30. FINANCIAL MATTERS

- 30a 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 accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £10,000. Where it is intended to enter into a contract, the annual amount of which exceeds £3,000 but does not exceed £10,000 for the supply of goods or services, or for materials for the execution of works, the Responsible Finance Officer and/or the Clerk to the Council shall obtain at least three quotations for the said works or services and provided that the Council has made budgetary provision for such works or services, has the delegated power to authorize such works or services. Any such expenditure shall be reported to the next available Council meeting.

- 30b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**

- 30c Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

- 30d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.

- 30e 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.**

31. ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- 31a On receipt of a notification that there has been an alleged breach of the code of conduct the Clerk to the Council shall refer it to a standards committee.
- 31b Where the notification relates to a complaint made by the Clerk to the Council, the Clerk to the Council shall notify the Town Mayor (Chair) of a (standards) Committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Clerk to the Council 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.
- 31c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Clerk to the Council shall ensure that the employee in question does not deal with any aspect of the complaint.

- 31d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Clerk to the Council and the Town Mayor (Chair) of the standards committee) 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.
- 31e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Town Mayor (Chair) of the relevant Committee 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.
- 31f A standards Committee 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.
- 31g 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.

32. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 32a 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.
- 32b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

33. STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- 33a The Clerk to the Council shall provide a copy of the Council's standing orders to a Councillor upon delivery of their declaration of acceptance of office
- 33b The Town Mayor (Chair) decision as to the application of standing orders at meetings shall be final.
- 33c A Councillor's failure to observe standing orders more than three times in one meeting may result in their being excluded from the meeting in accordance with standing orders.

Part 2

Financial Regulations

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. 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 financial control which facilitates the effective exercise of the Council's functions including the arrangements for the management of risk and for the prevention and detection of fraud and corruption. These financial regulations are designed to demonstrate how the Council meets these responsibilities.
- 1.2. The Responsible Financial Officer (RFO) is a statutory officer and shall be appointed by the Council. The RFO acting under the policy direction of the Council shall administer the Council's financial affairs in accordance with proper practices. The RFO shall determine on behalf of the Council its accounting records and accounting control systems. The RFO shall ensure that the accounting control systems are observed and that the accounting records of the Council are maintained and kept up to date in accordance with proper practices.
- 1.3. The RFO shall produce financial management information as required by the Council.
- 1.4. At least once a year, the Council shall conduct a review of the effectiveness of its system of internal control which shall be in accordance with proper practices
- 1.5. In these financial regulations, references to the Accounts and Audit regulations shall mean the Regulations issued under the provisions of section 27 of the Audit Commission Act 2003 and then in force.
- 1.6. In these regulations, the term 'proper practice' or 'proper practices' shall refer to guidance issued in 'Governance and Accountability in Local Councils in England and Wales; A Practitioners' Guide' which is published jointly by NALC and SLCC and updated from time to time.

2. ANNUAL ESTIMATES (BUDGET)

- 2.1. The Council shall formulate and submit proposals in respect of revenue and capital including the use of reserves and all sources of funding for the following financial year no later than the end of November each year.
- 2.2. Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared each year by the RFO in the form of a budget to be considered by the Council.
- 2.3. The Council shall review the budget not later than the end of January each year and shall fix the precept to be levied for the ensuing financial year. The RFO shall issue the precept requirement to the billing authority and shall supply each member with a copy of the approved budget.
- 2.4. The annual budgets shall form the basis of financial control for the ensuing year.
- 2.5. The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the Annual Budget.

3. BUDGETARY CONTROLS

- 3.1. Expenditure on revenue items may be incurred up to the amounts included for that class of expenditure in the approved budget.
- 3.2. No expenditure may be incurred that will exceed the amount provided in the revenue budget for that class of expenditure, 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.

- 3.3. 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.
- 3.4. The Clerk to the Council and the RFO may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk to the Council shall report the action and seek a resolution of approval as soon as practicable thereafter.
- 3.5. Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless placed in an earmarked reserve by resolution of the Council.
- 3.6. No expenditure shall be incurred 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 or the requisite borrowing approval has been obtained.
- 3.7. All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

4. ACCOUNTING AND AUDIT

- 4.1. All accounting procedures and financial records of the Council shall be determined by the RFO in accordance with the prevailing Accounts and Audit Regulations.
- 4.2. The RFO and the Clerk to the Council shall complete the annual financial statements of the Council, including the Council's Annual Return, as soon as practical after the end of the financial year and shall submit them and report thereon to the Council.
- 4.3. The RFO shall complete the Accounts to the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and shall submit the Annual Return for approval and authorization by the Council with the timescales set by the prevailing Accounts and Audit Regulations.
- 4.4. The RFO shall ensure that there are adequate and effective systems of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or member of Council shall, if the RFO or internal auditor requires, make available such documents of the Council which appear to the RFO or internal auditor to be necessary for the purpose of the audit and shall supply the RFO or internal auditor with such information and explanation as the RFO or internal auditor considers necessary for that purpose.
- 4.5. The Internal Auditor shall be appointed by and shall carry out the work required by the Council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year.
- 4.6. In order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision-making, management or control of the Council.
- 4.7. The RFO shall make arrangements for the opportunity for inspection of the accounts, books and vouchers and for the display or publication of any Notices and Statements of Accounts required by statute.
- 4.8. The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5. BANKING ARRANGEMENTS

- 5.1. The Council's banking arrangements, including the Bank Mandate, shall be made by the RFO in accordance with

SO 19, and approved by the Council. They shall be regularly reviewed for efficiency.

- 5.2. A schedule of the payments required, forming part of the Agenda for the Meeting shall be prepared by the RFO and, together with the relevant invoices, be presented to Council. If the schedule is in order it shall be authorized by a resolution of the Council and shall be initialled by the Town Mayor (Chair) of the Meeting. If more appropriate the detail may be shown in the Minutes of the Meeting.
- 5.3. Cheques drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 or in accordance with paragraph 6.4 shall be signed by two members of Council (Town Mayor (Chair) and Deputy Town Mayor (Chair)) and countersigned by the Clerk to the Council
- 5.4. 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. PAYMENT OF ACCOUNTS

- 6.1. All payments shall be effected by cheque or other order drawn on the Council's bankers.
- 6.2. All invoices for payment shall be examined verified and certified by the RFO if available within a reasonable timescale, otherwise by the Clerk to the Council. The examiner shall satisfy their selves that the work, goods or services, to which the invoice relates shall have been received, carried out, examined and approved and shall not have been responsible for the preparation of the payment order that they are examining.
- 6.3. The RFO if available within a reasonable timescale, otherwise the Clerk to the Council shall be responsible for ensuring that all invoices are examined in relation to arithmetical accuracy, analyzed to the appropriate expenditure heading, and promptly entered into the accounting system. The RFO shall take all steps to settle all invoices submitted within one calendar month of receipt.
- 6.4. 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 to the Council and RFO certify that there is no dispute or other reason to delay payment the RFO may (notwithstanding paragraph 6.3) take all steps necessary to settle such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 6.5. The Council will maintain a cash float for the Cliffe Park Kiosk. This cash float, must be operated in accordance with the agreed Financial Control Procedures. All other cash received must be banked intact.
- 6.6. The Council will operate two petty cash systems –one in the office and the other by the Outside Services Foreman. The operation of these petty cash systems, including their imprest value, and limits on individual re-imburements must be in accordance with the agreed Financial Control Procedures.
- 6.7. If thought appropriate by the Council, payment for utility supplies (energy, telephone and water) may be made by variable Direct Debit provided that the instructions are signed in accordance with Standing Order 13c and any payments are reported by Council as made.

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 salaries shall be as agreed by Council.
- 7.2. Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates, stipulated in employment contracts, provided that each payment is reported to and ratified by the next available Council Meeting.

8. LOANS AND INVESTMENTS

Approved on 23 May 2011, Amended on 12 July 2012

- 8.1. 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.
- 8.2. The Council shall consider the need for an Investment Policy, which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any policy shall be reviewed annually.
- 8.3. All investments of money under the control of the Council shall be in the name of the Council.
- 8.4. All borrowings shall be 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 terms and conditions of borrowings shall be reviewed at least annually.
- 8.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9. INCOME

- 9.1. The collection of sums due to the Council shall be the responsibility of the RFO.
- 9.2. The Council will review all fees and charges annually, following a report of the RFO.
- 9.3. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- 9.4. All sums received on behalf of the Council shall be banked intact.
- 9.5. The origin of each receipt shall be entered on the paying in slip.
- 9.6. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.7. 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.

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.
- 10.2. All Members and Officers are responsible for obtaining value for money at all times.
- 10.3. 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. Items of expenditure under £3000 p.a., including annual spend for recurring contracts, shall be subject only to one quotation. Items of expenditure over £3000 shall be subject to a minimum of three quotations.
- 11.2. Where multiple quotations are required their values shall be reported to Council.
- 11.3. The letting of contracts in excess of £3000 (p.a. in the case of recurring contracts) shall be the responsibility of the Clerk to the Council or the RFO following Council approval.

12. ASSETS, PROPERTIES & ESTATES

- 12.1. The Clerk to the Council shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The Clerk to the Council shall ensure a record is maintained of all properties owned 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.

- 12.2. No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.
- 12.3. 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.

13. INSURANCE

- 13.1. Following the annual risk assessment (per Financial Regulation 14) the Clerk to the Council or RFO shall put into effect all insurances and negotiate all claims on the Council's insurers.
- 13.2. The RFO shall keep a record of all insurances put in to effect by the Council and the property and risks covered thereby and annually review it.
- 13.3. The RFO shall in respect of any loss liability or damage or of any event likely to lead to a claim, shall report these to Council at the next available meeting.
- 13.4. All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance, which shall cover the maximum risk exposure as determined by the Council.

14. RISK MANAGEMENT

- 14.1. The Council is responsible for putting in place arrangements for the management of risk. The Clerk to the Council and the RFO shall jointly 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.
- 14.2. When considering any new activity, the Clerk to the Council and the RFO shall jointly prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

15. REVISION OF FINANCIAL REGULATIONS

- 15.1. 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 requirements for a consequential amendment to these financial regulations.

Part 3 **The Code of Conduct for Dronfield** **Town Council**

This Code of Conduct was adopted by the Town Council of Dronfield at its meeting held on 12 July 2012 (Minute 68-12/13)

Dronfield Town Council Members' Code of Conduct

As a member or co-opted member of Dronfield Town Council I have a statutory responsibility to have regard to the following principles when representing the community and working constructively with staff and partner organisations to secure better social, economic and environmental outcomes for all.

The Seven Statutory Principles

In accordance with the Localism Act provisions, when acting or appearing to act in my capacity as a councillor I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in the Council.

SELFLESSNESS: Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.

INTEGRITY: Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY: In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY: Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS: Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY: Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP: Holders of public office should promote and support these principles by leadership and example.

General Conduct

As a Member of Dronfield Town Council, I will ensure my conduct is in accordance with the statutory principles of this Code of Conduct by:

- ⤴ Dealing with people fairly, appropriately and impartially.
- ⤴ Behaving in accordance with the Council's legal obligations, alongside any requirements contained within the Council's policies, protocols and procedures, including on the use of the Authority's resources.
- ⤴ Acting in accordance with the Council's ICT policies, ensuring that ICT resources are not used improperly and having regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- ⤴ Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of Dronfield Town or the good governance of the Authority in a proper manner.
- ⤴ Complying with the requirements of the Council's Protocol on Gifts and Hospitality by registering with the Monitoring Officer any item of hospitality that I receive.
- ⤴ Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member or co-opted member of my Authority.
- ⤴ Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
- ⤴ Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
- ⤴ Contributing to making the Council's decision-making processes as open and transparent as possible. I will do this by allowing residents to access information they are entitled to by law, helping them to understand the reasoning behind the decisions taken and enabling them to be informed when holding me and other members to account.
- ⤴ Restricting access to information when the wider public interest or the law requires it.
- ⤴ Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
- ⤴ Always treating people with respect, including the organisations and public I engage with and those I work alongside.
- ⤴ Providing leadership through behaving in accordance with these principles when championing the interests of the community, with other organisations, as well as within this Authority.

Disclosable Pecuniary Interests

This note explains the requirements of the Localism Act 2011 (Sections 29-34) and The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 in relation to disclosable pecuniary interests. These provisions are enforced by criminal sanction.

1 *Notification of disclosable pecuniary interests*

Within 28 days of becoming a member or co-opted member, you must notify the Monitoring Officer of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) within the following descriptions:

('M' means you and 'relevant person' means you and your partner, as above)

<i>Subject</i>	<i>Prescribed description</i>
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>

Securities

Any beneficial interest in securities of a body where—

(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

These descriptions on interests are subject to the following definitions;

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

2 Register of interests

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

3 Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2).

4 *Non participation in case of disclosable pecuniary interest*

(a) If you are present at a meeting of the authority, or any committee, sub-committee, joint committee or joint sub-committee of the authority and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting,

- ⤴ You may not participate in any discussion of the matter at the meeting.
- ⤴ You may not participate in any vote taken on the matter at the meeting.
- ⤴ If the interest is not registered, you must disclose the interest to the meeting.
- ⤴ If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition, Procedure Rule 18A.1 requires you to leave the room where the meeting is held while any discussion or voting takes place.

(b) Where an executive member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the member must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter.

5 *Dispensations*

The authority may grant you a dispensation to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Requests for dispensation must be made, in writing to the Monitoring Officer, on one of the following grounds:

- ⤴ That so many members of the decision-making body have disclosable pecuniary interests in a matter that it would impede the transaction of the business.
- ⤴ That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote on the matter.
- ⤴ That the Authority considers that the dispensation is in the interests of persons living in the Authority's area;
- ⤴ That, without a dispensation, no member of the Cabinet would be able to participate in the matter; or
- ⤴ That the Authority considers that it is otherwise appropriate to grant a dispensation.

6 Offences

It is a criminal offence to:

- ⤴ Fail to notify the Monitoring Officer of any disclosable pecuniary interest within 28 days of election.
- ⤴ Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register.
- ⤴ Fail to notify the Monitoring Officer within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting.
- ⤴ Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest.
- ⤴ As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, failing to notify the Monitoring Officer within 28 days of the interest.
- ⤴ Knowingly or recklessly providing information that is false or misleading in notifying the Monitoring Officer of a disclosable pecuniary interest or in disclosing such an interest to a meeting.

The criminal penalties available to a court are to impose a fine not exceeding level five on the standard scale and disqualification from being a councillor for up to five years.

Other Interests

7 Notification of interests

- (a) You must, within 28 days of—
- (i) this Code being adopted by or applied to your authority; or
 - (ii) your election or appointment to office (where that is later),
- notify the Monitoring Officer of your disclosable pecuniary interests that are notifiable under the Localism Act 2011 and The Relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012, for inclusion in the register of interests, and
- notify the Monitoring Officer in writing of the details of your other interests, where they fall within the following descriptions, for inclusion in the register of interests.
- (b) You have an other interest in any business of your authority where —
- (i) it relates to or is likely to affect—
 - (aa) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (bb) any body—
 - (1) exercising functions of a public nature;
 - (2) directed to charitable purposes; or
 - (3) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),of which you are a member or in a position of general control or management;
- (c) You also have an other interest in any business of your authority:
- (i) where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a *relevant person* to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision, or
 - (ii) it relates to or is likely to affect any of the interests you have registered as a disclosable pecuniary interest.
- (d) In sub-paragraph 7(c)(i), a *relevant person* is—
- (i) a member of your family or any person with whom you have a close association; or
 - (ii) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (iii) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (iv) any body of a type described in paragraphs 7(b)(i)(aa) or (bb).
- (e) You must, within 28 days of becoming aware of any new interest or change to any interest registered under paragraph 7(a), or as a disclosable pecuniary interest notify the Monitoring Officer of the details of that new

interest or change.

8 *Disclosure of interests*

- (a) Subject to sub-paragraphs 7(b) and (c), where you have an other interest in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of the other interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent, where it is not on your register of interests.
- (b) Where you have an other interest but, by virtue of paragraph 10, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have an other interest, but need not disclose the sensitive information to the meeting.

9 *Register of interests*

Any interests notified to the Monitoring Officer will be included in the register of interests. A copy of the register will be available for public inspection and will be published on the authority's website.

10 *Sensitive interests*

Where you consider that disclosure of the details of an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Monitoring Officer agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

11 *Non participation in case of significant other interest*

- (a) Where you have an other interest in any business of your authority you also have a significant other interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest and where that business —
 - (i) affects your financial position or the financial position of a person or body described in paragraphs 7(d); or
 - (ii) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 7(d).
- (b) Subject to paragraph 11(c) and (d), where you have a significant other interest in any business of your authority—
 - (i) You may not participate in any discussion of the matter at the meeting.
 - (ii) You may not participate in any vote taken on the matter at the meeting.
 - (iii) If the interest is not registered, you must disclose the interest to the meeting.
 - (iv) If the interest is not registered and is not the subject of a pending notification, you must notify the Monitoring Officer of the interest within 28 days.

Note: In addition Procedure Rule 18A.2 requires you to leave the room where the meeting is held while any discussion or voting takes place.

- (c) Where you have a significant other interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise and you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.
- (d) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a significant other interest that relates to the functions of your authority in respect of—
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting Council Tax or a precept under the Local Government Finance Act 1992.

12 *Interests arising in relation to overview and scrutiny committees*

In any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by the executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken,

You may only attend a meeting of the overview and scrutiny committee for the purpose of answering questions or giving evidence relating to the business, and you must leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.