

UPPER BEEDING PARISH COUNCIL



STANDING ORDERS

19th April 2016

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1 Meetings

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- 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 itemised on the agenda 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 Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.

- j A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.**
- n **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- q **Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j) below.)**
- s **Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t **The minutes of a meeting shall record the names of councillors present and absent.**

u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given. Should a member of the Council fail to attend a meeting of the Council or of its committees of which he is a member for a period of six months, he/she ceases, on resolution of the Council, to be a member of the Council unless his/her failure is due to a reason approved by the Council. The period begins from the date of the last meeting attended.

● v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**



● w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.** (*See also standing orders 7 and 8 below.*)



● x **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.**

● y **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.



z Meetings shall not exceed a period of 3 hours.

2 Ordinary Council meetings

See also standing order 1 above

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

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

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

d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**

- e The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**

- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**

- g The Vice-Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**

- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.**
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council.**
 - iii. Receipt of nominations to existing committees.**
 - iv. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.**
 - v. Review of representation on or work with external bodies and arrangements for reporting back.**
 - vi. 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.**

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
- i. **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 and sub-committee at least 3 clear days before the meeting.**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i 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 signed by 2 councillors and witnessed (*See also 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. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman 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 committee.
- xvi. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 10 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 10 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
- i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds signed by two councillors and witnessed.
(See standing orders 14(a) and (b) below.)
 - xvii. To 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 Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

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

- 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 5 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 Chairman and his 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 Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his 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.
- u Members shall vote by show of hands, or if at least two members so request, by a signed ballot. If a ballot is held on any matter, the Chairman shall cause the votes to be counted and declare the results. The Clerk shall retain the ballot papers until the conclusion of the next meeting when the ballot papers shall be destroyed in the presence of at least two members.

7 Code of conduct

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- c **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 3 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 Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

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

10 Disorderly conduct

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

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

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

13 Expenditure

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

14 Execution and sealing of legal deeds

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

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

15 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 5 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.
 - vii. The Chairman and Vice-Chairman of the Council shall be, *ex officio*, members of all committees. The Chairmen of all other committees shall be, *ex officio*, members of the Policy & Resources committee.

16 Sub-committees

See also standing order 1 above

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

17 Extraordinary meetings

See also standing order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**

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

18 Advisory committees

See also standing order 1 above

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

19 Accounts and Financial Statement

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

20 Estimates/precepts

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

21 Canvassing of and recommendations by councillors

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

22 Inspection of documents

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

23 Unauthorised activities

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

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

24 Confidential business

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

25 Power of well-being

- a **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.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b The Chairman of or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of Clerk/RFO 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 .

- c Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee or other employees shall contact the Chairman or in his absence the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution.
- d 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.
- e 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.
- f 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.
- g Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(e) and (f) above if so justified.
- h 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 Clerk and/or the Chairman of the Council.

27 Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

28 Relations with the press/media

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

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

29 Liaison with District and County or Unitary Councillors

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

30 Financial matters

- a The Council shall consider and approve financial regulations 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 £60,000.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £20,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
- c Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;

- v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e **Where the 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

- 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 a committee known as the Policy and Resources committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Policy and Resources committee 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 Chairman of the Policy and Resources 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.

- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Policy and Resources 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.

- f The Policy and Resources 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.

- 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.

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

- b A motion to 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

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

- b The Chairman's decision as to the application of standing orders at meetings shall be final.

- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

34 Environment & Climate Change

Recognising the importance of environmental issues, this council will always consider the environmental impact of its decisions when formulating policy.

UPPER BEEDING PARISH COUNCIL



UPPER BEEDING PARISH COUNCIL PLANNING COMMITTEE

REMIT OF THE COMMITTEE

The Planning Committee of Upper Beeding Parish Council has delegated powers from the full Council and thus comments on applications on behalf of the Council. All Upper Beeding Parish Council members are notified of applications to be heard.

Whilst considering the views of residents and other interested parties, the Planning Committee is not bound to pass on these views when making its decisions. In the same way, Horsham District Council, as the planning authority, is not bound to take into account the views of the Upper Beeding Parish Council Planning Committee although local knowledge can be vital.

Each application has to be considered on its merits.

It is the Parish Council's policy to comment on all applications, where invited. The wording the Parish Council uses is at its discretion, however the comments will generally fall into one of the following four categories:-

1. Do not object, possibly giving reasons. (“..we see no reason to refuse.....”)
2. Do not object in principle, but expressing concerns over certain aspects of the application.
3. Object to it, giving reasons.
4. Support application

In addition the Parish Council may request the Planning Authority to consider imposing conditions if the application is granted planning approval. e.g. enhanced landscaping, or times that industrial units can be in use.

Drafted: October 2004

Adopted: 16-Nov-04

Readopted: 02-Sep-08

Readopted with amendments 18-Feb-14

Readopted: 19-Apr-16

ASPECTS THAT THE PARISH COUNCIL WILL TAKE INTO ACCOUNT WHEN FORMULATING ITS COMMENTS ON PLANNING APPLICATIONS

1. **General.** Whatever the application the Parish Council will always consider:-

- The policies contained within the Horsham District Plan. However the Parish Council will not consider itself constrained by such policies when commenting.
- National Planning Policy Frameworks (NPPFs) issued by the Government. Again the Parish Council will not feel itself constrained by such policies when commenting.
- The general design of the proposal, including materials used.
- Compliance to the Upper Beeding Parish Council Five Year Plan.
- The effect the proposal will have on neighbouring properties. However as neighbouring residents will be given the opportunity to comment directly to Horsham District Council, comments by the Parish Council are only likely to be made if the proposal will have a detrimental effect.
- The visual consequence of the proposal, particularly from where the development can be seen by the public generally.
- Whether, in the Parish Council's view, the application will cause any highway problems.
- Landscaping proposals where submitted.
- Local knowledge on flooding and drainage issues
- Environmental and Wildlife issues

2. **Extensions to dwellings.** In addition to the above the Parish Council will consider:-

- The design of the extension, both in its own right and compared to the existing structure.
- The size of the extension, both in actual terms, and relative to the existing dwelling.
- The size of the plot on which the complete dwelling will be positioned, with particular reference to plot sizes of adjacent properties.

3. **New Dwellings.**

- In accordance with the HDC Planning Framework (the Local Plan) the Parish Council will normally object to any new dwelling unless it is within the identified settlement of Upper Beeding, or is a replacement for a dwelling to be demolished.
- The size and design of the dwelling.

4. **Other types of Application**

- These will generally be considered on the effect that they will have on the Parish
- Applications relating to property outside the parish boundaries, where we have been specifically invited to comment, will be handled identically to applications relating to property within the boundaries.

This document will be reviewed at least once during the lifetime of each Council

UPPER BEEDING PARISH COUNCIL



RISK MANAGEMENT POLICY AND RISK ASSESSMENT

Drafted March 2005

Adopted: 3rd May 2005

Readopted: 19th April 2016

UPPER BEEDING PARISH COUNCIL

Risk Management Policy

Upper Beeding Parish Council is committed to identifying and managing risks, using the following procedures, and to ensuring that risks are maintained at an acceptable level. Any action that is felt necessary will be taken by the Upper Beeding Parish Council.

The Clerk will review risks on a regular basis, including any newly identified risks, and will report to the Council. The review will include identification of any unacceptable levels of risk.

The Local Councils Governance and Accountability Guidance makes the following observations regarding risk management.

1. Risk management is not just about financial management : it is about setting objectives and achieving them in order to deliver high quality public services.
2. The new approach places emphasis on local councils strengthening their own corporate governance arrangements, improving their stewardship of public funds and providing assurance to taxpayers.

It goes on to make the point that Members are ultimately responsible for risk management because risk threatens the achievement of policy objectives. Members should, therefore –

- a. take steps to identify key risks facing the Council
- b. evaluate the potential consequences to the Council if an event identified as a risk takes place
- c. decide upon appropriate measures to avoid, reduce or control the risk or its consequences.

To identify the risks facing a council, the Guidance recommends beginning by grouping the three main types of decisions that have to be taken into the following areas:

- i. Areas where there may be scope to use insurance to help manage risk
- ii. Areas where there may be scope to work with others to help manage risk
- iii. Areas where there may be need for self-managed risk.

SECTION 1

AREAS WHERE THERE MAY BE SCOPE TO USE INSURANCE TO HELP MANAGE RISK

1 A RISK IDENTIFICATION

- a. Protection of physical assets e.g. buildings, furniture, equipment and regalia**
All physical assets are insured with Allianz Cornhill under Policy AC/5276313.
- b. Risk of damage to third party property or individuals as a result of the Council providing services or amenities to the public**
UBPC has a Public Liability Insurance of £10,000,000. It has also personal accident liability cover for employees, members and volunteers under the above policy.
- c. Risk of consequential loss of income or the need to provide essential services following critical damage, loss or non-performance by a third party (consequential loss)**
Included in insurance policy cover.
- d. Loss of cash through theft or dishonesty (fidelity guarantee)**
The Council has Fidelity Guarantee cover up to £87,500.00 for both all members and employees.
- e. Legal liability as a consequence of asset ownership (public liability)**
See b. above

1 B INTERNAL CONTROLS

- a. Maintain an up-to-date register of Assets and Investments**
An Asset Register is compiled annually by the Responsible Financial Officer and presented to Council with Annual Accounts each year
- b. Regular maintenance for physical assets**
The Clerk and Caretaker undertake regular inspection of the Sports Hall. Maintenance of buildings, sites and equipment is undertaken on a responsive basis. Playground equipment is checked independently by RoSPA on an annual basis and by Wicksteed as required.
- c. Annual Review of risk and the adequacy of insurance cover**
The Responsible Financial Officer reviews the insurance cover annually, makes recommendations, as necessary, to Council and updates cover as required

d. Ensuring robustness of insurance providers

There are two main insurers for local councils – Zurich Municipal and Allianz Cornhill. UBPC uses Allianz Cornhill and the RFO is confident that Allianz Cornhill Insurance cover is sufficiently robust.

1 C INTERNAL AUDIT ASSURANCE

a. Review of internal controls in place and their documentation

Internal controls are reviewed as necessary by the Clerk and Internal Auditor. Recommendations from the Clerk and Internal Auditor are submitted to Council.

b. Review of management arrangements regarding insurance cover

This forms part of the Council review at time of annual renewal

c. Testing of specific internal controls and reporting findings to management

This is undertaken as part of the audit process. Reports are presented to Council and minuted accordingly

SECTION 2

AREAS WHERE THERE MAY BE SCOPE TO WORK WITH OTHERS TO HELP MANAGE RISK

2 A RISK IDENTIFICATION

a. Security for vulnerable buildings, amenities or equipment

The Council's public building, the Sports Hall, has a Caretaker who ensures the building is secure. The Sports Hall is alarmed, linked to a central control station with Police and Fire Service response. The Caretaker lives approximately 300 yards away from the building. The Clerk's office is at the rear of Hyde Square.

In the event of any breaches of security, appropriate measures are taken as soon as practicable to re-secure the property. Crime reports are obtained for all breaches of security by contacting Sussex Police.

b. Maintenance for vulnerable buildings, amenities or equipment

All premises are maintained within approved budget. In-house maintenance is undertaken where possible and contractors used as needed, with quotations received in advance of any.

c. Banking Services

Reviewed periodically by Council. All cheques require three signatures, two Members and Clerk. The Council reviews all payments.

- d. **Provision of amenities / facilities for local community groups**
The Council has approved the use of its playing field and the Sports Hall on a charge basis. Users are advised to ensure their own public liability insurance cover.
- e. **Professional services, contractors etc.**
The Council endeavours to ensure that wherever possible it has the opportunity to select (from several) the provider of any professional service it requires, including approved contractors from HDC or WSCC. Any professionals whose services it uses are well established and often selected on recommendation. Ideally a short-list of three is drawn up.

2 B *INTERNAL CONTROLS*

- a. **Standing Orders and financial regulations dealing with the award of contracts for services or the purchase of capital equipment**
The Council has Standing Orders that govern the awarding of contracts. These were last reviewed in November 2004 and adopted in January 2005.
- b. **Clear statements of management responsibility for each service**
Under Standing Orders, the Amenities and Sports & Leisure Committees have delegated management responsibility for their own budgets.
- c. **Regular Scrutiny of performance against targets**
See b. above
- d. **Arrangements to detect and deter fraud and/or corruption**
Invoices are subjected to scrutiny by both the RFO and the cheque signatories who are Councillor and the Clerk.
- e. **Regular bank reconciliations, independently reviewed**
Bank statements are received monthly and are seen by the Clerk (RFO). A reconciliation is presented at each Council meeting, at which time the bank balances are confirmed.

2 C *INTERNAL AUDIT ASSURANCE*

- a. **Review of internal controls in place and their documentation**
Internal controls are reviewed as necessary by the Clerk and Internal Auditor. Recommendations from the Clerk and Internal Auditor are submitted to Council.
- b. **Review of minutes to ensure legal powers are available and the basis of the powers recorded and correctly applied**
The Clerk undertakes to ensure that the Council does not act ‘Ultra Vires’ when a decision is taken.. It is recorded if the Council decides against the Clerk’s advice. Where appropriate, legal powers bestowed on the Council will be recorded in the minutes against decisions taken. The minutes of meetings are also reviewed during the audit process.

- c. **Review and testing of arrangements to prevent and detect fraud and corruption**
The use of Standing Orders, internal controls and consideration by Council are all methods which contribute to prevent and deter fraud and corruption.
- d. **Review of adequacy of insurance cover provided by suppliers**
Any contractors working for UBPC are asked for proof of insurance cover.
- e. **Testing of specific internal controls and report findings to management**
This is undertaken as part of the audit process. Reports are presented to the Council and minuted accordingly.

SECTION 3

AREAS WHERE THERE MAY BE A NEED TO SELF-MANAGE RISK

3 A RISK IDENTIFICATION

- a. **Keeping proper financial records in accordance with statutory regulations**
Financial records kept in accordance with the statutory requirements fall with the responsibility of the Council and are reviewed as part of the Audit process
- b. **Ensuring all business activities are within legal powers applicable to Parish Councils**
See Section 2 Internal Audit Assurance (b.)
- c. **Complying with restrictions on borrowing**
The Council is within the current borrowing perimeters.
- d. **Ensuring that all requirements are met under employment law and Inland Revenue regulations**
Inland Revenue calculations are made by West Sussex County Council Payroll department and are subject to the audit process. Salary forecasts are undertaken as part of the budget setting process and incremental increases are recommended by Council, for adoption. Independent legal advice is taken as necessary.
- e. **Ensuring all requirements are met under Customs and Excise regulations (especially VAT)**
All such requirements are met by the Responsible Financial Officer and the Internal Audit process
- f. **Ensuring the adequacy of the annual precept within sound budgeting arrangements**
Committee budgets are reviewed by Policy & Resources Committee and approved by full Council in accordance with the Council's budget procedure

- g. Ensuring the proper use of funds granted to local community bodies under specific powers or Section 137**
Grant applications are considered by the Council for approval. Section 137 grants are listed separately in the annual accounts
- h. Proper, timely and accurate reporting of the Council business in the minutes**
Council minutes are prepared by the Clerk. They are distributed to Members in advance of the subsequent meeting, verified as a correct record as one of the first items of business of that meeting and signed at the meeting. Failure to do so is recorded. Committee minutes are presented to full Council for information and comment and are signed as a correct record at the subsequent Committee meetings.
- i. Responding to electors wishing to exercise their rights of inspection**
The rights of inspection to electors is adhered to in accordance with current legislation. In accordance with the Freedom of Information Act, all relevant documents are available on demand by post and in addition, meeting schedules and minutes, once approved, are published on the Council's website.
- j. Meeting the laid down timetables when responding to consultation invitations**
Every effort is made to meet specified timetables when responding to consultation invitations
- k. Proper document control**
Paperwork is retained in accordance with national guidelines and relevant documents are available for viewing on request. All incoming mail is date stamped
- l. Register of members' interests and gifts and hospitality is place, complete, accurate and up-to-date**
The members' register of interest is held by the Clerk and a copy is held by the Monitoring Officer at Horsham District Council. To the best knowledge of the Clerk these are accurate and up-to-date. It is the responsibility of Members to notify the Clerk of changes.

3 B

INTERNAL CONTROLS

- a. Regular scrutiny of financial records and proper arrangements for the approval of expenditure**
Comprehensive measures are in place for the internal and external approval of expenditure
- b. Recording in the minutes the precise powers under which expenditure is being approved**
See Section 2 Internal Audit Assurance (b.)

- c. Regular returns to the Inland Revenue; contracts of employment for all staff; systems of updating records for any changes in relevant legislation reviewed by Council**
 Inland Revenue Returns are completed and submitted by West Sussex County Council Payroll department. Salaries are calculated by WSCC Payroll department. And are subject to internal audit. Staffing issues are referred to Council.
- d. Regular returns of VAT**
 The Clerk as RFO is responsible for completion and submission of VAT returns. Presented Council and submitted quarterly. Council ensures that the Clerk received adequate training on the computerised accounting system.
- e. Developing system of performance measurement**
 In accordance with legislation, staff appraisals will be undertaken annually, by Chairman and Vice Chairman in the case of the Clerk, and by the Clerk in the case of other staff. These are reported to Council.
- f. Procedures for dealing with and monitoring grants, or loans, made or received**
 See Table 1 Risk identification (h.) There is no outstanding loan made. See Table 2 loan outstanding, repayment schedule.
- g. Minutes properly numbered with a master copy kept in safekeeping**
 All Council and Committee minutes are correctly numbered. These are loose leaf and signed copies are sent West Sussex Record Office at appropriate intervals. Original copies are kept in Minute books in the Clerk's office
- h. Documented procedures to deal with enquiries from the public**
 Calls, letters and e-mails are dealt with as soon as practicable unless referred to Council or Committee. In such cases, acknowledgement of enquiry is made
- i. Documented procedure to deal with responses to consultation requests**
 Consultation requests are referred to Committee. They may be further delegated to a working group. The course of action taken is minuted. Copies of correspondence are available to all Members on request
- j. Monitoring arrangements regarding Quality Council status**
 Currently not applicable
- k. Documented procedures for document receipt, circulation, response, handling and filing**
 The Clerk receives and delegates all mail. All relevant mail is listed with Council or a Committee for consideration of information. Mail for action by administration is dealt with accordingly and filed when actions are completed.
- l. Procedures in place for recording and monitoring members' interest and gifts and hospitality received**
 See Section 3 Risk identification (l.)

- m. Adoption of Codes of Conduct for members and employees**
The Council adopted the Code of Members Conduct in April 2002. Employees' Code of Conduct is in accordance with their individual contracts of employment. At present there is no other statutory code for employees.

3 C INTERNAL AUDIT ASSURANCE

- a. Review of internal controls in place and their documentation**
Internal controls are reviewed as necessary by the Clerk and Internal Auditor. Recommendations from the Clerk and Internal Auditor are submitted to Council.
- b. Review of minutes to ensure legal powers in place, recorded and correctly applied**
See Section 2 Internal Audit Assurance (b.)
- c. Testing of income and expenditure from minutes to RBS Accounting package, from bank statements to RBS Accounting package, from minutes to statements etc.**
The testing of these procedures forms part of the internal controls currently in place. The system is also tested during the audit process
- d. Review and testing of arrangements to prevent and detect fraud and corruption**
See Risk Assessment Strategy
- e. Testing of specific internal controls and reporting findings to management**
Where appropriate, the results of such testing as part of the internal controls will be reported to the appropriate Committee or Council. Similar reporting to Council will be made as part of the internal audit
- f. Computer data safety**
All necessary procedures and documents are computerised and all relevant areas of Clerks computers are backed-up weekly to zip disk.

UPPER BEEDING PARISH COUNCIL



FINANCIAL REGULATIONS

Drafted: December 2005

Adopted: 4th July 2006

Readopted: 2nd September 2008

Amended & Readopted: 18th February 2014

Readopted: 19th April 2016

UPPER BEEDING PARISH COUNCIL

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FINANCIAL REGULATIONS FOR UPPER BEEDING PARISH COUNCIL

1. GENERAL

- 1.1. These financial regulations shall govern the conduct of the financial transactions of the council and may only be amended or varied by resolution of the council.
- 1.2. The Clerk shall be the responsible financial officer (RFO).
- 1.3. The responsible financial officer (RFO) under the policy direction of the council shall be responsible for the proper administration of the council's financial affairs.
- 1.4. The RFO shall be responsible for the production of financial management information.

2. ANNUAL ESTIMATES

- 2.1. The Council shall formulate the capital programme in accordance with the budget setting procedure.
- 2.2. Detailed estimates of income and expenditure on revenue services, and receipts and payments on capital account, shall be prepared each year by the RFO.
- 2.3. The Council shall review the estimates and recommend the precept to be levied for the ensuing financial year, at its January meeting. The RFO shall supply each member with a copy of the approved estimates.
- 2.4. The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

3. BUDGETARY CONTROL

- 3.1. Expenditure on the revenue account may be incurred up to the amounts included in each approved budget heading.
- 3.2. No expenditure may be incurred which cannot be met from the amount provided in the appropriate revenue budget heading unless approved by the council.
- 3.3. The RFO shall periodically provide the council with a statement of income and expenditure to date under each heading of the approved annual revenue and capital budgets.
- 3.4. The Clerk may incur expenditure on behalf of the council, which is necessary to carry out any repair, replacement or other work, which is of such extreme urgency that it must be done at once whether or not there is any budgetary provision for the expenditure, subject to a limit of £750.00.
- 3.5. The Clerk may, after consultation with the Chairman or Vice Chairman of the council, incur expenditure on behalf of the council, which is necessary to carry out any repair, replacement or other work, which is of such extreme urgency that it must be done at once. Whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,500.00
- 3.6. The Clerk shall report the action to the council as soon as practicable thereafter.

- 3.7 Where expenditure is incurred in accordance with regulation 3.4 or 3.5 above and the sum required cannot be met from savings made elsewhere within the councils approved budget, it shall be subject to the provisions of a supplementary estimate approved by the council.
- 3.8 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year.
- 3.9 No expenditure shall be incurred in relation to any capital project, no contract entered into or tender accepted involving expenditure on capital account, unless the council is satisfied that it is contained in the capital programme or 5-year plan and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.
- 3.10 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 as required by the Accounts and Audit Regulations 1996, current at the time.
- 4.2. The RFO shall be responsible for completing the annual accounts of the council as soon as practicable after the end of the financial year and shall submit them to and report thereon to the council.
- 4.3. The following principles shall be observed in connection with accounting duties.
- 4.3.1. The duty of providing information, calculating, checking and recording sums due to, and from, the council, should be separated as completely as possible from the duty of collecting or dispersing them.
- 4.3.2. Officers charged with the duty of examining and checking the accounts of cash transactions should not be engaged in any of those transactions.
- 4.4 The RFO shall be responsible for maintaining an adequate and effective system of internal audit of the council's accounting, financial and other operations in accordance with regulation 5 of the Accounts and Audit Regulations 1996.

Any officer or member of the council shall, if the RFO requires, make available such documents of the council which relate to their accounting and other records, as appear to the RFO to be necessary for the purpose of the audit, and shall supply the RFO with such information and explanation as the RFO considers necessary for that purpose.

5. BANKING ARRANGEMENTS AND CHEQUES

- 5.1. The council's banking arrangements shall be made by the RFO and approved by the council.

A schedule of the payment of money shall be prepared by the RFO and together with the relevant invoices etc presented to the Council. If the schedule is in order it shall be proposed and seconded and authorised by a resolution of the Council.

- 5.2. Cheques drawn on the Current bank (DirectPlus) account in accordance with the schedule referred to in the previous paragraph shall be signed by the Clerk and two members of the council in accordance with council Standing Order item 38c.

6. PAYMENT OF ACCOUNTS

- 6.1. Apart from petty cash payments all payments shall be effected by cheque, credit card or other order drawn on the council's bankers.
- 6.2. All invoices for payment shall be examined, verified and certified by the officer issuing the order. Before certifying an invoice the officer shall satisfy themselves that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.
- 6.3. Duly certified invoices shall be processed under the direction of the RFO. They will be examined in relation to arithmetical accuracy and authorisation, and shall be coded to the appropriate expenditure heading. All possible steps will be taken to settle all invoices submitted, and which are in order, by their due date.
- 6.4. All processed invoices will be entered into the computerised accounts system.

7. PAYMENT OF SALARIES AND WAGES

- 7.1. The payment of all salaries shall be made via the West Sussex County Council Payroll Services using the schedule of the payment of money and presented to the council in the normal way.
- 7.2. The payment sheet will be presented to the council at the same time as the cheque and certified as to accuracy.

8. LOANS AND INVESTMENTS

- 8.1. All loans and investments shall be negotiated by the RFO in the name of the council, and shall be for a set period of time in accordance with council policy. Changes to loans and investments should be reported to the council at the earliest opportunity.
- 8.2. All investments of money under the control of the council shall be in the name of the council.
- 8.3. All borrowings shall be effected in the name of the council.
- 8.4. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

9. INCOME

- 9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be notified to the RFO and the RFO shall be ultimately responsible for the collection of all accounts due to the council.
- 9.3. The council will review all fees and charges annually, following a report of the clerk.
- 9.4. Any bad debts shall be reported to the council.
- 9.5. All sums received on behalf of the council shall be banked by the RFO.

- 9.6. A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the council.

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 e.g. petty cash purchases. Copies of orders issued shall be maintained.
- 10.2. Order books shall be controlled by the RFO
- 10.3. All officers are responsible for obtaining best value at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of cash transaction.

11. CONTRACTS

- 11.1. Procedures as to contracts are laid down in the council's standing orders item 69.

12. STORES AND EQUIPMENT

- 12.1. The officer in charge i.e. the Caretaker, shall be responsible for the care and custody of stores and equipment in the Sports Hall, changing rooms and storage container.
- 12.2. Delivery notes must be obtained in respect of all goods received. Stocks of cleaning materials shall generally be maintained at the minimum levels consistent with operational requirements.
- 12.3. The RFO shall be responsible for annual check of all stocks and stores.

13. INSURANCE

- 13.1. The RFO shall effect all insurance and negotiate all claims on the council's insurer.
- 13.2. The RFO shall insure that all new risks which require to be insured are added to existing insurance.
- 13.3. The RFO shall keep a record of all insurance effected by the council and the property and risks covered thereby and annually review it.
- 13.4. The RFO shall be notified of any loss of liability or damage or of any event likely to lead to a claim.
- 13.5. All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance.

14. REVISION OF FINANCIAL REGULATIONS

- 14.1. It shall be the duty of the council to review the financial regulations of the council from time to time and to make such changes as the council considers are required.

15. DEBT RECOVERY

- 15.1 This paragraph refers to sums which have been outstanding for payment to the council for a period of at least three months. It includes both direct debts for unpaid invoices, and debts implied by reason of goods or services deemed unfit for purpose and where no refund has been forthcoming.
- 15.2 The means of recovery of debts up to a maximum of £250 will be solely at the discretion of the RFO, who also has discretion to write off the debt if the debtor cannot be contacted.

15.3 The RFO will be required to notify the council of debts over £250. The means of recovery include but are not limited to (a) a negotiated agreement to repay over a period, (b) a negotiated part payment and part write off, (c) a total write off of the debt, or (d) a reference to a solicitor to instigate formal debt recovery proceedings up to and including court action. Factors to be taken into account in arriving at the decision will include the ability of the debtor to pay; the reasons for non-payment; any other contributions (monetary or otherwise) made the debtor to the neighbourhood; the contactability of the debtor; the amount of the debt and the period of non-payment; the likelihood of recovery if formal proceedings are initiated; and the likely cost of such proceedings.