



**STANDING ORDERS
&
FINANCIAL REGULATIONS**

2020-21

DOWNEND & BROMLEY HEATH PARISH COUNCIL

SECTION A

STANDING ORDERS

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1. DEFINITIONS

- 1.1. In these Standing Orders a number of terms and phrases are used. The following capitalised words shall mean the following wherever they are used in these Standing Orders:
- 1.1.1. **Chair:** means the Councillor currently elected to be the chair of the Parish Council;
 - 1.1.2. **Clerk:** means the clerk currently appointed by the Parish Council;
 - 1.1.3. **Committee(s):** means a committee(s) formed by the Parish Council in accordance with its standing orders;
 - 1.1.4. **Councillor(s):** means a councillor or councillors (as the case might be) currently elected or co-opted to be a councillor of the Parish Council;
 - 1.1.5. **District Council:** means: South Gloucestershire Council;
 - 1.1.6. **Employee(s):** means employees including clerks, RFO's, Executive Officers, part-time, fixed-term and casual employees of the Parish Council;
 - 1.1.7. **Parish Council:** means: Downend & Bromley Heath Parish Council;
 - 1.1.8. **Proper Officer:** means: either (i) the Clerk or (ii) other Employee(s) nominated by the Parish Council to undertake the work of the Proper Officer when the Proper Officer is absent;
 - 1.1.9. **Proper practices:** in these standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide";
 - 1.1.10. **Vice Chair:** means the Councillor currently elected to be the vice chair of the Parish Council; and

1.1.11. **Working Group(s)**: means a working group(s) formed by the Parish Council in accordance with its standing orders.

2. ORDINARY PARISH COUNCIL MEETINGS

- 2.1. In an election year, the annual meeting of the Parish Council shall be held on or within 14 days following the day on which the Councillors elected take office.
- 2.2. In a year which is not an election year, the annual meeting of the Parish Council shall be held on such day in May as the Parish Council decides.
- 2.3. If no other time is fixed, the annual meeting of the Parish Council shall take place at 7pm.
- 2.4. In addition to the annual meeting of the Parish Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Parish Council decides.
- 2.5. The first business conducted at the annual meeting of the Parish Council shall be the election of the Chair and Vice-Chair (if there is one) of the Parish Council.
- 2.6. The Chair, 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 Parish Council.
- 2.7. The Vice-Chair, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair at the next annual meeting of the Parish Council.
- 2.8. In an election year, unless the current Chair has not been re-elected as a member of the Parish Council, he shall preside at the annual meeting until a successor Chair has been elected. The current Chair shall not have an original vote in respect of the election of the new Chair but shall give a casting vote in the case of an equality of votes.
- 2.9. In an election year, if the current Chair has been re-elected as a member of the Parish Council, he shall preside at the annual meeting until a new Chair has been elected. He may exercise an original vote in respect of the election

of the new Chair and shall give a casting vote in the case of an equality of votes.

- 2.10. Following the election of the Chair and Vice-Chair (if there is one) at the annual meeting, the business shall include:
 - 2.10.1. In an election year, delivery by the Chair and Councillors of their acceptance of office forms unless the Parish Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of his acceptance of office form unless the Parish Council resolves for this to be done at a later date.
 - 2.10.2. Confirmation of the accuracy of the minutes of the last meeting of the Parish Council.
 - 2.10.3. Receipt of the minutes of the last meeting of a Committee or Working Group.
 - 2.10.4. Consideration of the recommendations made by a Committee or Working Group.
 - 2.10.5. Review of delegation arrangements to Committees, Working Groups, Employees and other local authorities.
 - 2.10.6. Review of the terms of reference for Committees or Working Groups.
 - 2.10.7. Appointment of members to existing Committees or Working Groups.
 - 2.10.8. Appointment of any new Committees or Working Groups in accordance with standing order 13.
 - 2.10.9. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - 2.10.10. Review of representation on or work with external bodies and arrangements for reporting back.

- 2.10.11. In an election year, to make arrangements with a view to the Parish Council becoming eligible to exercise the general power of competence in the future.
 - 2.10.12. Review of inventory of land and other assets including buildings and office equipment.
 - 2.10.13. Review of the Parish Council's and/or Employees subscriptions.
 - 2.10.14. Determining the time and place of ordinary meetings of the Parish Council up to and including the next annual meeting of the Parish Council.
- 2.11. At least once a year and on such a date as the Parish Council decides, the Parish Council business at an ordinary meeting shall include:
- 2.11.1. Review and adoption of appropriate standing orders and financial regulations.
 - 2.11.2. Confirmation of arrangements for insurance cover in respect of all insurable risks.
 - 2.11.3. Review of the Parish Council's complaints procedures.
 - 2.11.4. Review of the Parish Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation.
 - 2.11.5. Review of the Parish Council's policy for dealing with the press/media.
 - 2.11.6. Review of the Parish Council's employment policies and procedures.
 - 2.11.7. Review of the Parish Council's expenditure incurred under S137 of the Local Government Act 1972 or the general power of competence.

3. EXTRAORDINARY MEETINGS OF THE PARISH COUNCIL, COMMITTEES OR WORKING GROUPS

- 3.1. The Chair may convene an extraordinary meeting of the Parish Council at any time.
- 3.2. If the Chair does not call an extraordinary meeting of the Parish Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Parish Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.
- 3.3. The chair of a Committee may convene an extraordinary meeting of the Committee at any time.
- 3.4. If the chair of a Committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the Committee, any 2 members of the Committee may convene an extraordinary meeting of the Committee.

4. MEETINGS GENERALLY

- 4.1. 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.
- 4.2. The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a Bank holiday or a day appointed for public thanksgiving or mourning.
- 4.3. The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
- 4.4. If a Councillor fails throughout six consecutive months to attend meetings of the full Parish Council, he/she ceases automatically to be a Councillor, unless either:
 - 4.4.1. he/she has a 'statutory excuse' or his/her failure is due to a reason approved by the Parish Council; or
 - 4.4.2. he/she attended as a representative of the Parish Council at a meeting of any body of persons (such as a county association of local councils).
- 4.5. For the purposes of standing order 4.4 above the period begins with the last meeting attended.
- 4.6. Attendees will be expected to switch off all mobile phones for the duration of the Parish Council unless dispensation is given by the Chair.
- 4.7. A meeting shall not exceed a period of 3 hours.

5. MOTIONS AND RESOLUTIONS AT MEETINGS

Previous Resolutions

- 5.1. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 Councillors to be given to the Proper Officer in accordance with standing orders 5.3-5.10, or by a motion moved in pursuance of the recommendation of a Committee.
- 5.2. When a motion moved pursuant to standing order 5.1 has been disposed of, no similar motion may be moved for a further six months.

Motions for a Meeting that Require Written Notice to the Proper Officer

- 5.3. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Parish Council's statutory functions, powers and obligations or an issue which specifically affects the Parish Council's area or its residents.
- 5.4. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 3 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 5.5. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 5.4, correct obvious grammatical or typographical errors in the wording of the motion.
- 5.6. If the Proper Officer considers the wording of a motion received in accordance with standing order 5.4 is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 3 clear days before the meeting.
- 5.7. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the 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 in the agenda or rejected.

- 5.8. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 5.9. Motions received shall be recorded and numbered in the order that they are received.
- 5.10. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

Motions at a Meeting that Do Not Require Written Notice

- 5.11. The following motions may be moved at a meeting without written notice to the Proper Officer:
 - 5.11.1. to correct an inaccuracy in the draft minutes of a meeting;
 - 5.11.2. to move to a vote;
 - 5.11.3. to defer consideration of a motion;
 - 5.11.4. to refer a motion to a particular Committee;
 - 5.11.5. to appoint a person to preside at a meeting;
 - 5.11.6. to change the order of business on the agenda;
 - 5.11.7. to proceed to the next business on the agenda;
 - 5.11.8. to require a written report;
 - 5.11.9. to appoint a Committee or Working Group and their members;
 - 5.11.10. to extend the time limits for speaking;

- 5.11.11. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- 5.11.12. to not hear further from a Councillor or a member of the public;
- 5.11.13. to exclude a Councillor or member of the public for disorderly conduct;
- 5.11.14. to temporarily suspend the meeting;
- 5.11.15. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- 5.11.16. to adjourn the meeting; or
- 5.11.17. to close the meeting.

6. PUBLIC PARTICIPATION AT MEETINGS

- 6.1. 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.
- 6.2. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- 6.3. The period of time designated for public participation at a meeting in accordance with standing order 6.2 shall not exceed 15 minutes unless directed by the chairman of the meeting.
- 6.4. Subject to standing order 6.3, a member of the public shall not speak for more than 5 minutes.
- 6.5. In accordance with standing order 6.2, a question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- 6.6. 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 chair of the meeting may at any time permit a person to be seated when speaking.
- 6.7. A person who speaks at a meeting shall direct his comments to the chair of the meeting.
- 6.8. Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.

7. REPORTING AT MEETINGS AND PRESS RELATIONS

- 7.1. Subject to standing order 7.2, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- 7.2. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- 7.3. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- 7.4. Requests from the press or other media for an oral or written comment or statement from the Parish Council, its Councillors or Employees shall be handled in accordance with the Parish Council’s policy in respect of dealing with the press and/or other media.

8. CHAIR AND VICE-CHAIR

- 8.1. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in his absence be done by, to or before the Vice-Chair of the Parish Council (if there is one).

- 8.2. The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

9. QUORUM OF MEETINGS AND VOTING

- 9.1. No business may be transacted at a meeting unless at least one-third of the whole number of members of the Parish Council are present and in no case shall the quorum of a meeting be less than three.
- 9.2. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- 9.3. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors and non-councillors with voting rights present and voting.
- 9.4. The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
- 9.5. Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- 9.6. A Councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Councillor's Code of Conduct in the Employee and Councillor Handbook a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- 9.7. Where more than two persons have been nominated for a position to be filled by the Parish Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.
- 9.8. Voting for the appointment of the Chair or Vice Chair of the Parish Council shall be by a show of hands or, if at least two members so request, by signed

ballot.

10. MINUTES OF MEETINGS

10.1. The minutes of a meeting shall include an accurate record of the following:

- 10.1.1. the time and place of the meeting;
- 10.1.2. the names of Councillors who are present and the names of Councillors who are absent;
- 10.1.3. interests that have been declared by Councillors and non-councillors with voting rights;
- 10.1.4. the grant of dispensations (if any) to Councillors and non-councillors with voting rights;
- 10.1.5. whether a Councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered; and
- 10.1.6. if there was a public participation session; and the resolutions made.

11. DRAFT MINUTES

- 11.1. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 11.2. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 5.11.1.
- 11.3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 11.4. If the chair 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 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 his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- 11.5. If the Parish Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- 11.6. Subject to the publication of draft minutes in accordance with standing order 11.5 and standing order 17.1 and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

12. RULES OF DEBATE AT MEETINGS

- 12.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- 12.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 12.3. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 12.4. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 12.5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 12.6. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- 12.7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- 12.8. A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 12.9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- 12.10. Subject to standing order 12.11, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- 12.11. One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- 12.12. A Councillor may not move more than one amendment to an original or

substantive motion.

- 12.13. The mover of an amendment has no right of reply at the end of debate on it. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 12.14. Unless permitted by the chair of the meeting, a Councillor may speak once in the debate on a motion except:
 - 12.14.1. to speak on an amendment moved by another Councillor;
 - 12.14.2. to move or speak on another amendment if the motion has been amended since he last spoke;
 - 12.14.3. to make a point of order;
 - 12.14.4. to give a personal explanation; or
 - 12.14.5. to exercise a right of reply.
- 12.15. During the debate on a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- 12.16. A point of order shall be decided by the chair of the meeting and his decision shall be final.
- 12.17. When a motion is under debate, no other motion shall be moved except:
 - 12.17.1. to amend the motion;
 - 12.17.2. to proceed to the next business;
 - 12.17.3. to adjourn the debate;
 - 12.17.4. to put the motion to a vote;
 - 12.17.5. to ask a person to be no longer heard or to leave the meeting;
 - 12.17.6. to refer a motion to a committee or working group for consideration;

- 12.17.7. to exclude the public and press;
 - 12.17.8. to adjourn the meeting; or
 - 12.17.9. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- 12.18. Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 12.19. Excluding motions moved under standing order 12.17, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chair of the meeting.

13. COMMITTEES AND WORKING GROUPS

- 13.1. Unless the Parish Council determines otherwise, a Committee may appoint a Working Group whose terms of reference and members shall be determined by the Committee.
- 13.2. The members of a Committee may include non-councillors unless it is a Committee which regulates and controls the finances of the Parish Council.
- 13.3. Unless the Parish Council determines otherwise, all the members of an advisory Committee and a Working Group of the advisory Committee may be non-councillors.
- 13.4. The Parish Council may appoint standing Committees or other Committees as may be necessary, and:
 - 13.4.1. shall determine their terms of reference;
 - 13.4.2. shall determine the number and time of the ordinary meetings of a standing Committee up until the date of the next annual meeting of the Parish Council;
 - 13.4.3. shall permit a Committee, other than in respect of the ordinary meetings of a Committee, to determine the number and time of its meetings;
 - 13.4.4. shall, subject to standing orders 13.2 and 13.3, appoint and determine the terms of office of members of such a Committee;
 - 13.4.5. may, subject to standing orders 13.2 and 13.3, appoint and determine the terms of office of the substitute members to a Committee whose role is to replace the ordinary members at a meeting of a Committee if the ordinary members of the Committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
 - 13.4.6. shall, after it has appointed the members of a standing Committee, appoint the chair of the standing Committee;
 - 13.4.7. shall permit a Committee other than a standing Committee, to appoint its own chairman at the first meeting of the Committee;
 - 13.4.8. shall determine the place, notice requirements and quorum for a

meeting of a Committee and a Working Group which, in both cases, shall be no less than three;

- 13.4.9. shall determine if the public may participate at a meeting of a Committee;
- 13.4.10. shall determine if the public and press are permitted to attend the meetings of a Working Group and also the advance public notice requirements, if any, required for the meetings of a Working Group;
- 13.4.11. shall determine if the public may participate at a meeting of a Working Group that they are permitted to attend; and
- 13.4.12. may dissolve a Committee or a Working Group.

14. DISORDERLY CONDUCT AT MEETINGS

- 14.1. All Councillors must observe the Code of Conduct set out in the Employee and Councillor Handbook.
- 14.2. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- 14.3. If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any Councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 14.4. If a resolution made under standing order 14.3 is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

15. FILMING AT MEETINGS

- 15.1. The Parish Council retains the right to exclude the press and public from parts of the Parish Council's meetings for contractual and Employee confidentiality reasons.
- 15.2. Members of the public are permitted to film or record Parish Council meetings, to which they are permitted access, in a non-disruptive manner but are requested to inform the chair of meeting that it is being recorded. The chair of the meeting has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.
- 15.3. The use of digital and social media recording tools, for example Twitter, blogging or audio recording, is allowed as long as it is carried out in a non-disruptive way and only to the extent that it does not interfere with any person's ability, even where he or she has a disability, to follow the debate at the Parish Council meeting.
- 15.4. While those attending the Parish Council meeting are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998 and GDPR.
- 15.5. Any person or organisation choosing to film, record, audio record or broadcast a meeting of the Parish Council, Working Group or a Committee is responsible for any claims or other liability from them so doing.
- 15.6. The Parish Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Parish Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.
- 15.7. The Parish Council will display this policy and any associated material relating to filming, recording and broadcasting on its website, and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
- 15.8. The Parish Council may itself photograph, film, record or broadcasting at its

meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies.

16. MANAGEMENT OF INFORMATION

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

17. RESPONSIBILITIES TO PROVIDE INFORMATION

- 17.1. In accordance with freedom of information legislation, the Parish Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Parish Council.
- 17.2. The Parish Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

18. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

- 18.1. The Parish Council shall appoint a Data Protection Officer, if required by law.
- 18.2. The Parish Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- 18.3. The Parish Council shall have a written policy in place for responding to and managing a personal data breach.
- 18.4. The Parish Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- 18.5. The Parish Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- 18.6. The Parish Council shall maintain a written record of its processing activities.

19. CODE OF CONDUCT AND DISPENSATIONS

- 19.1. All Councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Parish Council (set out in the Employee and Councillor Handbook).
- 19.2. Unless he has been granted a dispensation, a Councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- 19.3. Unless he has been granted a dispensation, a Councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Parish Council's Code of Conduct (set out in the Employee Handbook). He may return to the meeting after it has considered the matter in which he had the interest.
- 19.4. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 19.5. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- 19.6. A dispensation request shall confirm:
 - 19.6.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates; whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - 19.6.2. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - 19.6.3. an explanation as to why the dispensation is sought.
- 19.7. Subject to standing orders 19.4 and 19.6, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- 19.8. A dispensation may be granted in accordance with standing order 19.5 if having regard to all relevant circumstances any of the following apply:

- 19.8.1. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
- 19.8.2. granting the dispensation is in the interests of persons living in the Parish Council's area; or
- 19.8.3. it is otherwise appropriate to grant a dispensation.

20. CODE OF CONDUCT COMPLAINTS

- 20.1. Upon notification by the District or Unitary Council that it is dealing with a complaint that a Councillor or non-councillor with voting rights has breached the Parish Council's Code of Conduct, the Proper Officer shall, subject to standing order 16, report this to the Parish Council.
- 20.2. Where the notification in standing order 20.1 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of this fact, and the Chair shall nominate another Employee to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Parish Council has agreed what action, if any, to take in accordance with standing order 20.4.
- 20.3. The Parish Council may:
 - 20.3.1. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - 20.3.2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 20.4. Upon notification by the District or Unitary Council that a Councillor or non-councillor with voting rights has breached the Parish Council's Code of Conduct, the Parish Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

21. PROPER AND RESPONSIBLE FINANCIAL OFFICERS

- 21.1. The Proper Officer shall be either
 - 21.1.1. the Clerk; or
 - 21.1.2. other Employee(s) nominated by the Parish Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- 21.2. The Proper Officer shall:
 - 21.2.1. at least three clear days before a meeting of the Parish Council, a Committee or a Working Group,
 - 21.2.1.1. serve on Councillors by delivery by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (unless the Councillor has requested it be posted to their residence), and
 - 21.2.1.2. provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).
 - 21.2.2. subject to standing order 5.3-10, include on the agenda all motions in the order received unless a Councillor has given written notice at least 1 day before the meeting confirming his withdrawal of it;
 - 21.2.3. convene a meeting of the Parish Council for the election of a new Chair, occasioned by a casual vacancy in his office;
 - 21.2.4. facilitate inspection of the minute book by local government electors;
 - 21.2.5. receive and retain copies of byelaws made by other local authorities and parish councils;
 - 21.2.6. hold acceptance of office forms from Councillors;
 - 21.2.7. hold a copy of every Councillor's register of interests;
 - 21.2.8. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Parish Council's relevant policies and

procedures;

- 21.2.9. liaise, as appropriate, with the Parish Council's Data Protection Officer;
- 21.2.10. receive and send general correspondence and notices on behalf of the Parish Council except where there is a resolution to the contrary;
- 21.2.11. assist in the organisation of, storage of, access to, security of and destruction of information held by the Parish Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- 21.2.12. arrange for legal deeds to be executed;
- 21.2.13. to receive and retain plans and documents, to sign notices or other documents on behalf of the Parish Council;
- 21.2.14. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Parish Council in accordance with its financial regulations;
- 21.2.15. record every planning application notified to the Parish Council and the Parish Council's response to the local planning authority in a book for such purpose;
- 21.2.16. refer a planning application received by the Parish Council to the chair or in his absence the Vice-Chair (if there is one) of the Planning Committee 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 planning Committee;
- 21.2.17. manage access to information about the Parish Council via the publication scheme;
- 21.2.18. retain custody of the seal of the Parish Council (if there is one) which shall not be used without a resolution to that effect;
- 21.2.19. to keep proper records of all meetings;

- 21.2.20. to update the Parish Council's website; and
 - 21.2.21. to receive and record notices disclosing interests.
- 21.3. The Parish Council shall appoint appropriate Employee(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

22. ACCOUNTS AND ACCOUNTING STATEMENTS

- 22.1. All payments by the Parish Council shall be authorised, approved and paid in accordance with the law, proper practices and the Parish Council's financial regulations.
- 22.2. The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- 22.2.1. the Parish Council's receipts and payments (or income and expenditure) for each quarter;
 - 22.2.2. the Parish Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - 22.2.3. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
 - 22.2.4. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - 22.2.4.1. each Councillor with a statement summarising the Parish Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - 22.2.4.2. to the Parish Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
 - 22.2.5. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Parish Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all Councillors at least 14 days prior to anticipated approval by the Parish Council. The annual governance and accountability return of the Parish Council, which is subject to external audit, including the annual governance statement, shall be presented to the Parish Council for

consideration and formal approval before 30 June.

23. FINANCIAL CONTROLS AND PROCUREMENT

- 23.1. The Parish Council shall consider and approve financial regulations (see section B) drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - 23.1.1. the keeping of accounting records and systems of internal controls; the assessment and management of financial risks faced by the Parish Council;
 - 23.1.2. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - 23.1.3. the inspection and copying by Councillors and local electors of the Parish Council's accounts and/or orders of payments; and
 - 23.1.4. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- 23.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 23.3. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 23.6 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Parish Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
- 23.4. Subject to additional requirements in the financial regulations of the Parish Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - 23.4.1. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - 23.4.2. an invitation to tender shall be drawn up to confirm:
 - 23.4.2.1. the Parish Council's specification;

- 23.4.2.2. the time, date and address for the submission of tenders;
 - 23.4.2.3. the date of the Parish Council's written response to the tender;
and
 - 23.4.2.4. the prohibition on prospective contractors contacting Councillors or Employees to encourage or support their tender outside the prescribed process;
 - 23.4.2.5. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - 23.4.2.6. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - 23.4.2.7. tenders shall be opened by the Proper Officer in the presence of at least one Councillor after the deadline for submission of tenders has passed;
 - 23.4.2.8. tenders are to be reported to and considered by the appropriate meeting of the Parish Council or a Committee or Working Group with delegated responsibility.
- 23.5. Neither the Parish Council, nor a Committee or a Working Group with delegated responsibility for considering tenders, is bound to accept the lowest value tender, but should seek best value for money.
- 23.6. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.
- 23.7. A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or

£820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

24. HANDLING STAFF MATTERS

- 24.1. A matter personal to an Employee that is being considered by a meeting of Parish Council or the Finance & General Purposes Committee is subject to standing order 16.
- 24.2. Subject to the Parish Council's policy regarding absences from work, the Parish Council's most senior Employee shall notify the chair of the Finance & General Purposes Committee or, if he is not available, the vice-chair (if there is one) of the Finance & General Purposes Committee of absence occasioned by illness or other reason and that person shall report such absence to the Finance & General Purposes Committee at its next meeting.
- 24.3. The chair of the Finance & General Purposes Committee or in his absence, the vice-chair shall upon a resolution, conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Finance & General Purposes Committee.
- 24.4. Subject to the Parish Council's policy regarding the handling of grievance matters, the Parish Council's most senior Employee (or other Employees) shall contact the chair of the Finance & General Purposes Committee or in his absence, the vice-chair of the Finance & General Purposes Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Finance & General Purposes Committee.
- 24.5. Subject to the Parish Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an Employee relates to the chair or vice-chair of the Finance & General Purposes Committee, this shall be communicated to another member of the Finance & General Purposes Committee, which shall be reported back and progressed by resolution of the Finance & General Purposes Committee.
- 24.6. Any persons responsible for all or part of the management of Employees shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- 24.7. In accordance with standing order 16.1, persons with line management responsibilities shall have access to staff records referred to in standing order

24.6.

25. EXECUTION AND SEALING OF LEGAL DEEDS

- 25.1. A legal deed shall not be executed on behalf of the Parish Council unless authorised by a resolution.
- 25.2. Subject to standing order 25.1, any two Councillors may sign, on behalf of the Parish Council, any deed required by law and the Proper Officer shall witness their signatures.

26. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- 26.1. An invitation to attend a meeting of the Parish Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council or Unitary Council representing the area of the Parish Council.
- 26.2. Unless the Council determines otherwise, a copy of each letter sent to the District and County Council or Unitary Council shall be sent to the ward Councillor(s) representing the area of the Parish Council.

27. RESTRICTIONS ON COUNCILLOR ACTIVITIES

27.1. Unless duly authorised no Councillor shall:

27.1.1. inspect any land and/or premises which the Parish Council has a right or duty to inspect; or

27.1.2. issue orders, instructions or directions.

28. STANDING ORDERS GENERALLY

- 28.1. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 28.2. A motion to add to or vary or revoke one or more of the Parish Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 3 Councillors to be given to the Proper Officer in accordance with standing order 5.3-5.10.
- 28.3. The Proper Officer shall provide a copy of the Parish Council's standing orders to a Councillor as soon as possible.
- 28.4. The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

29. SUPPLEMENT TO THE DOWNEND & BROMLEY HEATH PARISH COUNCIL STANDING ORDERS

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow local councils to hold remote meetings. The regulations give automatic authority to hold remote meetings and amend standing orders as required.

These regulations remain in force until 7 May 2021 or earlier if repealed, and require a number of temporary changes to Standing Orders.

General These procedures should be read in conjunction with the Downend & Bromley Heath Parish Council's Standing Orders.

The Regulations made under s78 of Coronavirus Act 2020 apply and where there is a conflict between these and any other adopted Standing Orders or legislation, these Remote Meetings Procedures take precedence in relation to any remote meeting.

1) Annual Meeting

The requirement to hold an Annual Meeting of the Council is to be disregarded and prior to 7 May 2021 may only take place

- a) where called by the Chairman or
- b) following a resolution calling for an annual meeting being passed at a meeting of the Council

2) Access to Information

"Published on the website of the council" will also apply in relation to where:

- a) a document is required to be 'open to inspection'
- b) a document is required to be published and made available at the council's offices.
- c) there is a requirement to publish information including public notices, agendas, minutes, background papers and written reports

3) Remote Access to Meetings

The definition of "meeting" within the Council's Standing Orders is amended so that:

- a) 'place' includes where a meeting is held, or to be held in more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers
- b) 'open to the public' includes access to the meeting by remote means including video conferencing, live webcasting and interactive streaming
- c) where a meeting is accessible to the public through remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

d) if the Council becomes aware that its technology has failed, and the meeting is no longer accessible to the public, the meeting shall be adjourned.

e) if public access cannot be restored within a reasonable period, the remaining business shall be deferred to a future meeting.

4) Councillors in remote attendance

A councillor is present and counted for the purposes of the quorum when they can:

a) hear and where practicable see other members of the council

b) hear and where practicable see members of the public wishing to participate during the public session of the meeting or as invited by the Chairman

A councillor be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance are not met. In these circumstances the Chairman may if appropriate:

c) adjourn the meeting to permit conditions for remote attendance to be re-established

d) count the number of councillors in attendance for the purpose of the quorum

5) Remote attendance by members of the public

A member of the public is in attendance when they can:

a) hear (and where practicable see) the members of the council at the meeting and also be heard (and where practicable be seen)

b) hear (and where practicable see) the members of public attending the meeting and also be heard (and where practicable be seen), including those wishing to speak during the public session or as invited by the Chairman

A member of the public will be deemed to have left the meeting where, at any point during the meeting, any of the conditions for remote attendance at 5 a) are not met.

c) Subject to 5 b) the Chairman may

d) adjourn the meeting to permit conditions for remote attendance to be re-established

e) vary the order of the agenda or complete the remaining business of the meeting in the absence of the member of the public in remote attendance.

6) Remote Voting

Unless a recorded vote is demanded, the Chairman will take the vote by:

- a) Clear visual confirmation at the meeting that there is agreement or
- b) a roll call and the number of votes for or against the motion or amendment or abstaining will be recorded.

7) Code of Conduct – councillors excluded from the meeting

Where a councillor is required to leave the room as a requirement of the Council's code of conduct, the means of remote attendance and access will be severed whilst any discussion or vote take place.

8) Exclusion of the press and public

Where the council has resolved to exclude the press and public from any part of the meeting, due to the confidentiality of the business to be discussed then:

- a) The means of remote attendance and access to the meeting by members of the press and public will be severed
- b) Each councillor present shall declare that there are no other persons present who are not entitled to be (hearing or seeing), and/or recording the meeting.

Adopted by resolution dated 18 June 2020

Expires 7 May 2021

SECTION B

FINANCIAL REGULATIONS

FINANCIAL REGULATIONS: CONTENTS

1. Definitions
2. General
3. Accounting And Audit (Internal And External)
4. Annual Estimates (Budget) And Forward Planning
5. Budgetary Control And Authority To Spend
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7. Instructions For The Making Of Payments
8. Payment Of Salaries
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19. Suspension And Revision Of Financial
Regulations

1. DEFINITIONS

- 1.1. The following capitalised words shall mean the following wherever they are used in these Financial Regulations:
- 1.1.1. **Accounts and Audit Regulations** or 'the regulations': means the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.
 - 1.1.2. **Chair**: means the Councillor currently elected to be the chair of the Parish Council;
 - 1.1.3. **Clerk**: means the clerk currently appointed by the Parish Council;
 - 1.1.4. **Committee(s)**: means a committee(s) formed by the Parish Council in accordance with its standing orders;
 - 1.1.5. **Councillor(s)**: means a councillor or councillors (as the case might be) currently elected or co-opted to be a councillor of the Parish Council;
 - 1.1.6. **District Council**: means: South Gloucestershire Council;
 - 1.1.7. **Employee(s)**: means employees including clerks, RFO's, Executive Officers, part-time, fixed-term and casual employees of the Parish Council;
 - 1.1.8. **Parish Council**: means: Downend & Bromley Heath Parish Council;
 - 1.1.9. **Proper Officer**: means: either (i) the Clerk or (ii) other Employee(s) nominated by the Parish Council to undertake the work of the Proper Officer when the Proper Officer is absent;
 - 1.1.10. **'proper practice'** or **'proper practices'** shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide*

(England) issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

- 1.1.11. **Vice Chair:** means the Councillor currently elected to be the vice chair of the Parish Council; and
- 1.1.12. **Working Group(s):** means a working group(s) formed by the Parish Council in accordance with its standing orders.

2. GENERAL

- 2.1. These Financial Regulations govern the conduct of financial management by the Parish Council and may only be amended or varied by resolution of the Parish Council. Financial Regulations are one of the Parish Council's three governing policy documents providing procedural guidance for Councillors and Employees. Financial Regulations must be observed in conjunction with the Parish Council's standing orders (in section A of this document) and any individual financial regulations relating to contracts.
- 2.2. The Parish Council is responsible in law for ensuring that its financial management is adequate and effective and that the Parish Council has a sound system of internal control which facilitates the effective exercise of the Parish Council's functions, including arrangements for the management of risk.
- 2.3. The Parish Council's accounting control systems must include measures:
 - 2.3.1. for the timely production of accounts;
 - 2.3.2. that provide for the safe and efficient safeguarding of public money;
 - 2.3.3. to prevent and detect inaccuracy and fraud; and
 - 2.3.4. identifying the duties of officers.
- 2.4. These Financial Regulations demonstrate how the Parish Council meets these responsibilities and requirements.
- 2.5. At least once a year, prior to approving the Annual Governance Statement, the Parish Council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 2.6. Deliberate or wilful breach of these Financial Regulations by an Employee may give rise to disciplinary proceedings.

- 2.7. Councillors are expected to follow the instructions within these Financial Regulations and not to entice Employees to breach them. Failure to follow instructions within these Financial Regulations brings the office of Councillor into disrepute.
- 2.8. The RFO holds a statutory office to be appointed by the Parish Council. The Clerk has been appointed as RFO for the Parish Council and these regulations will apply accordingly.
- 2.9. The RFO:
- 2.9.1. acts under the policy direction of the Parish Council;
 - 2.9.2. administers the Parish Council's financial affairs in accordance with all Acts, Financial Regulations and proper practices;
 - 2.9.3. determines on behalf of the Parish Council its accounting records and accounting control systems;
 - 2.9.4. ensures the accounting control systems are observed;
 - 2.9.5. maintains the accounting records of the Parish Council up to date in accordance with proper practices;
 - 2.9.6. assists the Parish Council to secure economy, efficiency and effectiveness in the use of its resources; and
 - 2.9.7. produces financial management information as required by the Parish Council.
 - 2.9.8. The accounting records determined by the RFO shall be sufficient to show and explain the Parish Council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or

management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

- 2.10. The accounting records determined by the RFO shall in particular contain:
 - 2.10.1. entries from day to day of all sums of money received and expended by the Parish Council and the matters to which the income and expenditure or receipts and payments account relate;
 - 2.10.2. a record of the assets and liabilities of the Parish Council; and
 - 2.10.3. wherever relevant, a record of the Parish Council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

- 2.11. The accounting control systems determined by the RFO shall include:
 - 2.11.1. procedures to ensure that the financial transactions of the Parish Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - 2.11.2. procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - 2.11.3. identification of the duties of Employees dealing with financial transactions and division of responsibilities of those Employees in relation to significant transactions;
 - 2.11.4. procedures to ensure that uncollectible amounts, including any bad debts are not submitted to the Parish Council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
 - 2.11.5. measures to ensure that risk is properly managed.

2.12. The Parish Council is not empowered by these Financial Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

2.12.1. setting the final budget or the precept (council tax requirement);

2.12.2. approving accounting statements;

2.12.3. approving an annual governance statement;

2.12.4. borrowing;

2.12.5. writing off bad debts;

2.12.6. declaring eligibility for the General Power of Competence; and

2.12.7. addressing recommendations in any report from the internal or external auditors, shall be a matter for the full Parish Council only.

2.13. In addition the Parish Council must:

2.13.1. determine and keep under regular review the bank mandate for all Parish Council bank accounts;

2.13.2. approve any grant or a single commitment in excess of £5,000; and

2.13.3. in respect of the annual salary for any Employee have regard to recommendations about annual salaries of employees made by the relevant Committee in accordance with its terms of reference.

3. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 3.1. All accounting procedures and financial records of the Parish Council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

- 3.2. On a regular basis, at least once in each quarter, and at each financial year end, a Councillor other than the Chair shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The Councillor shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. Ad-hoc checks should also be made to both Stripe and Open Play facilities. This activity shall on conclusion be reported, including any exceptions, to and noted by the Finance & General Purposes Committee or Parish Council.

- 3.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the Parish Council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

- 3.4. The Parish Council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any Employee or Councillor shall make available such documents and records as appear to the Parish Council to be necessary for the purpose of the audit and shall, as directed by the Parish Council, supply the RFO, internal auditor, or external auditor with such information and explanation as the Parish Council considers necessary for that purpose.

- 3.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the Parish Council in accordance with proper practices.

- 3.6. The internal auditor shall:
 - 3.6.1. be competent and independent of the financial operations of the Parish Council;

- 3.6.2. report to the Parish Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - 3.6.3. to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - 3.6.4. have no involvement in the financial decision making, management or control of the Parish Council.
- 3.7. Internal or external auditors may not under any circumstances:
- 3.7.1. perform any operational duties for the Parish Council;
 - 3.7.2. initiate or approve accounting transactions; or
 - 3.7.3. direct the activities of any Employees, except to the extent that such Employees have been appropriately assigned to assist the internal auditor.
- 3.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 3.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 3.10. The RFO shall, without undue delay, bring to the attention of all Councillors any correspondence or report from internal or external auditors.

4. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 4.1. The Finance & General Purposes Committee shall review its three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Parish Council not later than the end of December each year including any proposals for revising the forecast.
- 4.2. The RFO must each year, by no later than December, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Finance & General Purposes Committee and the Parish Council.
- 4.3. The Parish Council shall consider annual budget proposals in relation to the Parish Council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 4.4. The Parish Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 4.5. The approved annual budget shall form the basis of financial control for the ensuing year.

5. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 5.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:
- 5.1.1. the Parish Council for all items over £5,000;
 - 5.1.2. a duly delegated Committee of the Parish Council for items over £500;
 - 5.1.3. the Clerk, in conjunction with Chair or Chair of the appropriate Committee, for any items below £500; or
 - 5.1.4. Clerk, Chair or Vice Chair for any items up to £500 + VAT in emergencies to mitigate further damage or to secure premises that the Parish Council is responsible for. Chair and Vice Chair, in addition to the Clerk, will have access to both Openplay and Stripe websites to ensure financial compliance and disaster recovery procedures.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chair. Contracts may not be disaggregated to avoid controls imposed by these regulations.

- 5.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Parish Council, or duly delegated Committee. During the budget year and with the approval of Parish Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 5.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 5.4. The salary budgets are to be reviewed at least annually for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk

and the Chair or relevant Committee. The RFO will inform Committees of any changes impacting on their budget requirement for the coming year in good time.

- 5.5. In cases of extreme risk to the delivery of Parish Council services, the Clerk may authorise revenue expenditure on behalf of the Parish Council which in the Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,500. The Clerk shall report such action to the Chair as soon as possible and to the Parish Council as soon as practicable thereafter.
- 5.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 5.7. All capital works shall be administered in accordance with the Parish Council's standing orders and financial regulations relating to contracts.
- 5.8. The RFO shall regularly provide the Parish Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of 15% of the budget.
- 5.9. Changes in earmarked reserves shall be approved by the Parish Council as part of the budgetary control process.

6. BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

- 6.1. The Parish Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Parish Council; banking arrangements may not be delegated to a Committee. They shall be regularly reviewed for safety and efficiency.
- 6.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council or Finance & General Purposes Committee. The Parish Council/Committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the Parish Council or Finance & General Purposes Committee. The approved schedule shall be ruled off and initialled by the chair of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.
- 6.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the Parish Council.
- 6.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available Parish Council or Finance & General Purposes Committee meeting.
- 6.5. The Clerk / RFO shall have delegated authority to authorise the payment of items only in the following circumstances:
- 6.5.1. 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 the Parish Council, where the Clerk and RFO

certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council or Finance & General Purposes Committee;

6.5.2. An expenditure item authorised under 6.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of the Parish Council or Finance & General Purposes Committee; or

6.5.3. fund transfers within the Parish Council's banking arrangements up to the sum of £10,000, provided that a list of such payments shall be submitted to the next appropriate meeting of the Parish Council or Finance & General Purposes Committee.

6.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council, or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 5.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of the Parish Council or Finance & General Purposes Committee.

6.7. A record of regular payments made under 6.6 above shall be drawn up and be signed by two Councillors on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and/or made.

6.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by the Parish Council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £1,000 shall before payment, be subject to ratification by resolution of the Parish Council.

6.9. Councillors are subject to the Code of Conduct (set out in the Employee and Councillor Handbook) that has been adopted by the Parish Council and shall comply with the Code and Standing Orders (set out in Section A of this document) when a

decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.

- 6.10. The Parish Council will aim to rotate the duties of Councillors in these Financial Regulations so that onerous duties are shared out as evenly as possible over time.
- 6.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Councillor.

7. INSTRUCTIONS FOR THE MAKING OF PAYMENTS

- 7.1. The Parish Council will make safe and efficient arrangements for the making of its payments.
- 7.2. Following authorisation under Financial Regulation 6 above, the Parish Council, a duly delegated Committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.
- 7.3. All payments shall be effected by cheque or other instructions to the Parish Council's bankers, or otherwise, in accordance with a resolution of the Parish Council or duly delegated Committee. (See Full Council Minutes, 15 May 2014, item 121.7).
- 7.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to the Parish Council or Committee shall be signed by two members of Parish Council, and countersigned by the Clerk, in accordance with a resolution instructing that payment. A Councillor who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.
- 7.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
- 7.6. Cheques or orders for payment shall not normally be presented for signature other than at a Parish Council or Committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the Parish Council or Finance & General Purposes Committee at the next convenient meeting.
- 7.7. If thought appropriate by the Parish Council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two Councillors and

any payments are reported to the Parish Council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the Parish Council at least every two years.

- 7.8. If thought appropriate by the Parish Council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to the Parish Council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Parish Council at least every two years.
- 7.9. If thought appropriate by the Parish Council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to the Parish Council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the Parish Council at least every two years.
- 7.10. If thought appropriate by the the Parish Council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.
- 7.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the Parish Council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chair of the Parish Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other Councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all Councillors immediately and formally to the next available meeting of the Parish Council. This will not be required for a Councillor's personal computer used only for remote authorisation of bank payments.

- 7.12. No Employee or Councillor shall disclose any PIN or password, relevant to the working of the Parish Council or its bank accounts, to any person not authorised in writing by the Parish Council or a duly delegated Committee.
- 7.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.
- 7.14. The Parish Council, and any Councillors using computers for the Parish Council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.
- 7.15. Where internet banking arrangements are made with any bank, the Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the Parish Council shall identify a number of Councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.
- 7.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for Parish Council banking work. Breach of this Regulation will be treated as a very serious matter under these Financial Regulations.
- 7.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Clerk/RFO and 2 Councillors. A programme of regular checks of standing data with suppliers will be followed.
- 7.18. Any Debit Card issued for use will be specifically restricted to the Clerk/RFO and will also be restricted to a single transaction maximum value of £100 unless authorised by the Parish Council or Finance & General Purposes Committee in writing before any order is placed.

- 7.19. A prepaid debit card may be issued to Employees with varying limits. These limits will be set by the Parish Council or Finance & General Purposes Committee. Transactions and purchases made will be reported to the Parish Council or Finance & General Purposes Committee and authority for topping-up shall be at the discretion of the Parish Council or relevant Committee.
- 7.20. Any corporate credit card or trade card account opened by the Parish Council will be specifically restricted to use by the Clerk/RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.
- 7.21. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.
- 7.21.1. The RFO shall maintain a petty cash float of £30 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.
- 7.21.2. Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these Financial Regulations.
- 7.21.3. Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 6.2 above.

8. PAYMENT OF SALARIES

- 8.1. As an employer, the Parish Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by Parish Council, or duly delegated Committee.
- 8.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Parish Council meeting, as set out in these Financial Regulations above.
- 8.3. No changes shall be made to any Employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Parish Council or relevant Committee.
- 8.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- 8.4.1. by any Councillor who can demonstrate a need to know;
 - 8.4.2. by the internal auditor;
 - 8.4.3. by the external auditor; or
 - 8.4.4. by any person authorised under Audit Commission Act 1998, or any superseding legislation.

- 8.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.
- 8.6. An effective system of personal performance management should be maintained for the senior officers.
- 8.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by the Parish Council.
- 8.8. Before employing interim staff the Parish Council must consider a full business case.

9. LOANS AND INVESTMENTS

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

accordance with Regulation 6 (Authorisation of payments) and Regulation 6 (Instructions for payments).

10. INCOME

- 10.1. The collection of all sums due to the Parish Council shall be the responsibility of and under the supervision of the RFO.
- 10.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Parish Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Parish Council.
- 10.3. The Parish Council will review all fees and charges at least annually, following a report of the Clerk.
- 10.4. Any sums found to be irrecoverable and any bad debts shall be reported to the Parish Council and shall be written off in the year.
- 10.5. All sums received on behalf of the Parish Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Parish Council's bankers with such frequency as the RFO considers necessary.
- 10.6. The origin of each receipt shall be entered on the paying-in slip.
- 10.7. Personal cheques shall not be cashed out of money held on behalf of the Parish Council.
- 10.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 10.9. Where any significant sums of cash are regularly received by the Parish Council, the RFO shall take such steps as are agreed by the Parish Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

- 10.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity meeting separately from any Parish Council meeting (see also Regulation 18 below).

11. ORDERS FOR WORK, GOODS AND SERVICES

- 11.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.
- 11.2. Order books shall be controlled by the RFO.
- 11.3. All Councillors and Employees are responsible for obtaining value for money at all times. An Employee issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any *de minimis* provisions in Regulation 12.1 below.
- 11.4. A member may not issue an official order or make any contract on behalf of the Parish Council.
- 11.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

12. CONTRACTS

12.1. Procedures as to contracts are laid down as follows:

12.1.1. Every contract shall comply with these Financial Regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (12.1.1.1) to (12.1.1.6) below:

12.1.1.1. for the supply of gas, electricity, water, sewerage and telephone services;

12.1.1.2. for specialist services such as are provided by legal professionals acting in disputes;

12.1.1.3. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

12.1.1.4. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Parish Council;

12.1.1.5. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chair and Vice Chair); and

12.1.1.6. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

12.1.2. Where the Parish Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the Parish Council shall comply with the relevant requirements of the Regulations¹.

¹ The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

- 12.1.3. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time)².
- 12.1.4. When applications are made to waive Financial Regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Parish Council.
- 12.1.5. Such invitation to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- 12.1.6. All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of the Parish Council.
- 12.1.7. Any invitation to tender issued under this regulation shall be subject to the relevant section of the Standing Orders in section A of this document and shall refer to the terms of the Bribery Act 2010.
- 12.1.8. When it is to enter into a contract of less than £10,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 12.1.1 the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £100 the

² Thresholds currently applicable are:

- a. For public supply and public service contracts 209,000 Euros (£181,302)
- b. For public works contracts 5,225,000 Euros (£4,551,413)

Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 11.3 above shall apply.

12.1.9. The Parish Council shall not be obliged to accept the lowest or any tender, quote or estimate.

12.1.10. Should it occur that the Parish Council, or duly delegated Committee, does not accept any tender, quote or estimate, the work is not allocated and the Parish Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.

13. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

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

14. STORES AND EQUIPMENT

- 14.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 14.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 14.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 14.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

15. ASSETS, PROPERTIES AND ESTATES

- 15.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the Parish 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.
- 15.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the Parish Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £500.
- 15.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the Parish Council, together with any other consents required by law. In each case a report in writing shall be provided to the Parish Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 15.4. No real property (interests in land) shall be purchased or acquired without the authority of the full Parish Council. In each case a report in writing shall be provided to the Parish Council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 15.5. Subject only to the limit set in Regulation 15.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full Parish Council. In each case a report in writing shall be provided to the Parish Council with a full business case.

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

16. INSURANCE

- 16.1. Following the annual risk assessment (per Regulation 18), the RFO shall effect all insurances and negotiate all claims on the Parish Council's insurers.
- 16.2. The RFO shall keep a record of all insurances affected by the Parish Council and the property and risks covered thereby and annually review it.
- 16.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to the Parish Council at the next available meeting.
- 16.4. All appropriate Councillors and Employees of the Parish Council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Parish Council, or duly delegated Committee.

17. CHARITIES

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

18. RISK MANAGEMENT

- 18.1. The Parish Council is responsible for putting in place arrangements for the management of risk. The Clerk shall prepare, for approval by the Parish Council, risk management policy statements in respect of all activities of the Parish Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Parish Council at least annually.
- 18.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Parish Council.

19. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 19.1. It shall be the duty of the Parish Council to review the Financial Regulations of the Parish Council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.
- 19.2. The Parish Council may, by resolution of the Parish Council duly notified prior to the relevant meeting of the Parish Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of the Parish Council.

ADOPTION

These Standing Orders and Financial Regulations were adopted by Downend & Bromley Heath Parish Council at the March 2019 Full Parish Council Meeting and are reviewed as required.

Signed:*Janet Biggin*.....

Chair

Signed:*AJ Hocking*.....

Clerk

Date: 17 September 2020.....

Version History

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|---------------------------|-------------------|
| Adopted by Parish Council | 21 March 2019 |
| Latest review | 17 September 2020 |
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