



SANDOWN TOWN COUNCIL

Standing Orders

(to be read in conjunction with Financial Regulations)

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Introduction

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council’s standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council’s Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council’s needs. It is NALC’s view that all model standing orders will generally be suitable for councils.

For convenience, the word “councillor” is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this ‘()’ requires information to be inserted by a council. A model standing order that includes brackets like this ‘[]’ and the term ‘OR’ provides alternative options for a council to choose from when determining standing orders.

Contents

Introduction	2
How to use model standing orders.....	2
Drafting notes	2
1. PROPER OFFICER	5
2. RESPONSIBLE FINANCIAL OFFICER	6
3. ROLES AND RESPONSIBILITIES.....	6
4. RESTRICTIONS ON COUNCILLOR ACTIVITIES.....	7
5. MEMBERS INTERESTS.....	7
6. CODE OF CONDUCT AND DISPENSATIONS.....	7
7. CODE OF CONDUCT COMPLAINTS	8
8. NOTICE	9
9. MEETINGS GENERALLY.....	9
10. PUBLIC ACCESS AND PUBLIC QUESTION TIME.....	11
11. REPORTING MEETINGS.....	11
12. DISORDERLY CONDUCT AT MEETINGS.....	12
13. RULES OF DEBATE AT MEETINGS	12
14. COMMITTEES AND SUB-COMMITTEES	14
15. ORDINARY COUNCIL MEETINGS.....	15
16. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES	17
17. PREVIOUS RESOLUTIONS	18
18. VOTING.....	18
19. VOTING ON APPOINTMENTS	19
20. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER	19
21. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE.....	19
22. MANAGEMENT OF INFORMATION	20
23. DRAFT MINUTES.....	21
24. ACCOUNTS AND ACCOUNTING STATEMENTS	21

25.	FINANCIAL CONTROLS AND PROCUREMENT	22
26.	HANDLING STAFF MATTERS	24
27.	RESPONSIBILITIES TO PROVIDE INFORMATION	25
28.	RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION.....	26
29.	RELATIONS WITH THE PRESS/MEDIA	26
30.	EXECUTION AND SEALING OF LEGAL DEEDS.....	26
31.	COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS	26
32.	STANDING ORDERS GENERALLY.....	27

1. PROPER OFFICER

1.1. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

1.2. The Proper Officer shall:

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

See standing order 8 for the meaning of clear days.

- (ii) subject to standing order 20, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming their withdrawal of it;
- (iii) **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office;**
- (iv) **facilitate inspection of the minute book by local government electors;**
- (v) **receive and retain copies of byelaws made by other local authorities;**
- (vi) **hold acceptance of office forms from councillors;**
- (vii) hold a copy of every councillor's register of interests;
- (viii) assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- (ix) liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- (x) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- (xi) assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the

requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

- (xii) arrange for legal deeds to be executed;
(see also standing order 30);
- (xiii) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- (xiv) record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- (xv) refer a planning application received by the Council to the Chairman or in their absence the Vice-Chairman (if there is one) of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;
- (xvi) manage access to information about the Council via the publication scheme; and
- (xvii) retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

(see also standing order 30).

2. RESPONSIBLE FINANCIAL OFFICER

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

3. ROLES AND RESPONSIBILITIES

- 3.1. The chairman and vice-chairman of the council shall be respectively entitled to the style of town mayor and deputy town mayor.
- 3.2. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- 3.3. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

4. RESTRICTIONS ON COUNCILLOR ACTIVITIES

4.1. Unless duly authorised no councillor shall:

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

5. MEMBERS INTERESTS

- 5.1. Within 28 days of a Member's election or a co-opted Member's appointment (where that is later), he/she shall register all interests which fall within the categories set out in the code of conduct.
- 5.2. Upon the re-election of a Member or the re-appointment of a co-opted Member, he/she shall within 28 days re-register any interests in the code of conduct.
- 5.3. A Member shall register any change to interests or new interests in the code of conduct. within 28 days of becoming aware of it.
- 5.4. A Member need only declare on the public register of interests the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the Member or a person connected with the Member to be subject to violence or intimidation.
- 5.5. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

6. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 5.5.

- 6.1. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- 6.2. Unless they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- 6.3. Unless they have 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 they have

another interest if so required by the council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

- 6.4. **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.
- 6.5. A decision as to whether to grant a dispensation shall be made by the proper officer and that decision is final.
- 6.6. A dispensation request shall confirm:
 - (i) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - (ii) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - (iii) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - (iv) an explanation as to why the dispensation is sought.
- 6.7. Subject to standing orders 6.4 and 6.6, 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] or [at the beginning of the meeting of the council, or committee or sub-committee for which the dispensation is required].
- 6.8. **A dispensation may be granted in accordance with standing order 6.5, if having regard to all relevant circumstances any of the following apply:**
 - (i) **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - (ii) **granting the dispensation is in the interests of persons living in the council's area;**
or
 - (iii) **it is otherwise appropriate to grant a dispensation.**

7. CODE OF CONDUCT COMPLAINTS

- 7.1. 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 council's code of conduct, the proper officer shall, subject to standing order 22, report this to the council.

- 7.2. Where the notification in standing order 17.1 relates to a complaint made by the proper officer, the proper officer shall notify the chairman of council of this fact, and the chairman shall nominate another staff member to assume the duties of the proper officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 7.1.
- 7.3. the council may:
- (i) provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - (ii) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 7.4. **Upon notification by the district or unitary council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take.**

8. NOTICE

8.1. For the purposes of these standing orders, clear days do not include:

- The day on which the notice is issued
- The day of the meeting
- A Saturday or Sunday
- A day of the Christmas or Easter Break
- A bank holiday or other public holiday
- A day of public thanksgiving or mourning

9. MEETINGS GENERALLY

- 9.1. **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.**
- 9.2. A person shall raise their hand when requesting to speak and may stand when speaking.
- 9.3. A person who speaks at a meeting shall direct their comments to the chairman of the meeting.
- 9.4. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

- 9.5. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- 9.6. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- 9.7. **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.**
- 9.8. **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

See standing orders 15.8 and 15.9 for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- 9.9. **The minutes of a meeting shall include an accurate record of the following:**
- (i) the time and place of the meeting;
 - (ii) the names of councillors who are present and the names of councillors who are absent;
 - (iii) interests that have been declared by councillors and non-councillors with voting rights;
 - (iv) the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - (v) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - (vi) if there was a public participation session; and
 - (vii) the resolutions made.
- 9.10. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**
- 9.11. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

See standing order 14.4(viii) for the quorum of a committee or sub-committee meeting.

9.12. **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.

9.13. A meeting shall not exceed a period of 2 hours. If this period of time becomes insufficient to complete the business, the Council will resolve :-

- (i) to continue for another 30 minutes or
- (ii) to defer all items on the agenda not dealt with, until the next monthly meeting or
- (iii) to convene an additional meeting in two weeks time from the date of the meeting, to discuss the outstanding business on the agenda.

9.14. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

10. PUBLIC ACCESS AND PUBLIC QUESTION TIME

10.1. 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.

10.2. 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.

10.3. The period of time designated for public participation at a meeting in accordance with standing order 10.2 shall not exceed 15 minutes unless directed by the chairman of the meeting.

10.4. Subject to standing order 10.3, a member of the public shall not speak for more than three minutes.

10.5. In accordance with standing order 10.2, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.

11. REPORTING MEETINGS

11.1. **Subject to standing order 11.2, 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.**

- 11.2. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- 11.3. **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.**

12. DISORDERLY CONDUCT AT MEETINGS

- 12.1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 12.2. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 12.3. If a resolution made under standing order 12.2 is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

13. RULES OF DEBATE AT MEETINGS

- 13.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- 13.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 13.3. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 13.4. 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.
- 13.5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 13.6. 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.
- 13.7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.

- 13.8. A councillor may move an amendment to their 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.
- 13.9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- 13.10. Subject to standing order 13.11, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- 13.11. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- 13.12. A councillor may not move more than one amendment to an original or substantive motion.
- 13.13. The mover of an amendment has no right of reply at the end of debate on it.
- 13.14. 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.
- 13.15. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
- (i) to speak on an amendment moved by another councillor;
 - (ii) to move or speak on another amendment if the motion has been amended since they last spoke;
 - (iii) to make a point of order;
 - (iv) to give a personal explanation; or
 - (v) to exercise a right of reply.
- 13.16. 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- 13.17. A point of order shall be decided by the chairman of the meeting and their decision shall be final.
- 13.18. When a motion is under debate, no other motion shall be moved except:

- (i) to amend the motion;
- (ii) to proceed to the next business;
- (iii) to adjourn the debate;
- (iv) to put the motion to a vote;
- (v) to ask a person to be no longer heard or to leave the meeting;
- (vi) to refer a motion to a committee or sub-committee for consideration;
- (vii) to exclude the public and press;
- (viii) to adjourn the meeting; or
- (ix) to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

13.19. 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 their right of reply.

13.20. Excluding motions moved under standing order 13.8, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chairman of the meeting.

14. COMMITTEES AND SUB-COMMITTEES

14.1. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

14.2. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.

14.3. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

14.4. The Council may appoint standing committees or other committees as may be necessary, and:

- (i) shall determine their terms of reference;
- (ii) shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;

- (iii) shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- (iv) shall, subject to standing orders 14.2 and 14.3, appoint and determine the terms of office of members of such a committee;
- (v) may, subject to standing orders 14.2 and 14.3, 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 three days before the meeting that they are unable to attend;
- (vi) shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- (vii) shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- (viii) shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- (ix) shall determine if the public may participate at a meeting of a committee;
- (x) shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- (xi) shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- (xii) may dissolve a committee or a sub-committee.

15. ORDINARY COUNCIL MEETINGS

- 15.1. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- 15.2. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- 15.3. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**

- 15.4. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- 15.5. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- 15.6. **The Chairman of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- 15.7. **The Vice-Chairman of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- 15.8. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- 15.9. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- 15.10. Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - (i) **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - (ii) Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - (iii) Receipt of the minutes of the last meeting of a committee;
 - (iv) Consideration of the recommendations made by a committee;
 - (v) Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - (vi) Review of the terms of reference for committees;

- (vii) Appointment of members to existing committees;
- (viii) Appointment of any new committees in accordance with standing order 14;
- (ix) Review and adoption of appropriate standing orders and financial regulations;
- (x) Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- (xi) Review of representation on or work with external bodies and arrangements for reporting back;
- (xii) In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- (xiii) Review of inventory of land and other assets including buildings and office equipment;
- (xiv) Confirmation of arrangements for insurance cover in respect of all insurable risks;
- (xv) Review of the Council's and/or staff subscriptions to other bodies;
- (xvi) Review of the Council's complaints procedure;
- (xvii) Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 22, 27 and 28);
- (xviii) Review of the Council's policy for dealing with the press/media;
- (xix) Review of the Council's employment policies and procedures;
- (xx) Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- (xxi) Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

16. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

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

16.2. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice**

giving the time, place and agenda for such a meeting shall be signed by the two councillors.

- 16.3. The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- 16.4. If the chairman of a committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee [or the sub-committee], any two members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

17. PREVIOUS RESOLUTIONS

- 17.1. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least four councillors to be given to the Proper Officer in accordance with standing order 20, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 17.2. When a motion moved pursuant to standing order 17.1 has been disposed of, no similar motion may be moved for a further six months.

18. VOTING

- 18.1. **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.**
- 18.2. **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

See standing orders 15.8 and 15.9 for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- 18.3. **This Council's practice is for each Councillor to verbally confirm their vote. 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 their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- 18.4. **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**

19. VOTING ON APPOINTMENTS

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

20. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- 20.1. 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 Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- 20.2. 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 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 20.3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 20.2, correct obvious grammatical or typographical errors in the wording of the motion.
- 20.4. If the Proper Officer considers the wording of a motion received in accordance with standing order 20.2 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 10 clear days before the meeting.
- 20.5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 20.6. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- 20.7. Motions received shall be recorded and numbered in the order that they are received.
- 20.8. Motions rejected shall be recorded on a register with an explanation by the Proper Officer of the reason for rejection.

21. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

21.1. The following motions may be moved at a meeting without written notice to the Proper Officer:

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

22. MANAGEMENT OF INFORMATION

See also standing order 27.

22.1. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

- 22.2. The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- 22.3. 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.
- 22.4. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

23. DRAFT MINUTES

See also standing order 27.

- 23.1. 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.
- 23.2. 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 21.1(i).
- 23.3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 23.4. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- 23.5. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

24. ACCOUNTS AND ACCOUNTING STATEMENTS

- 24.1. "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- 24.2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- 24.3. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
- (i) the Council's receipts and payments (or income and expenditure) for each quarter;
 - (ii) the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - (iii) the balances held at the end of the quarter being reported and
- which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 24.4. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- (i) each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - (ii) to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- 24.5. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

25. FINANCIAL CONTROLS AND PROCUREMENT

- 25.1. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- (i) the keeping of accounting records and systems of internal controls;
- (ii) the assessment and management of financial risks faced by the Council;
- (iii) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- (iv) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
- (v) whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.

25.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

25.3. **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 25.6 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**

25.4. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- (i) a specification for the goods, materials, services or the execution of works shall be drawn up;
- (ii) an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
- (iii) the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
- (iv) tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

Hard Copy Submissions

- (v) tenders submitted in writing, should be provided in a sealed marked envelope addressed to the Proper Officer;
- (vi) 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;

Digital Submissions

- (vii) digital submissions should be submitted via email to:
etender@sandowntowncouncil.gov.uk
- (viii) tenders submitted digitally shall be opened by the Proper Officer after the deadline for submission of tenders has passed.
- (ix) the email containing the original submission shall be retained.;

25.5. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

25.6. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess¹ of £213,477 (inc. VAT) for a public service or supply contract or in excess of £5,336,937 (inc. VAT) for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by legislation) 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 Find a Tender service.**

25.7. **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 £426,955 for a supply, services or design contract; or in excess of £5,336,937 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by legislation) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

26. HANDLING STAFF MATTERS

- 26.1. A matter personal to a member of staff that is being considered by a meeting of Council or the HR committee is subject to standing order 22.
- 26.2. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the council or, if they are not available, the

¹ Thresholds effective 1-Jan-22 [Microsoft Word - Procurement Policy Note 10:21 - New Thresholds Values and Inclusion of VAT in Contract Estimates.docx \(publishing.service.gov.uk\)](#)

vice-chairman (if there is one) of council of absence occasioned by illness or other reason and that person shall report such absence to HR committee at its next meeting.

- 26.3. The chairman of the HR committee or in their absence, the vice-chairman of the council 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 to the HR committee.
- 26.4. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Human Resources committee or in their absence, the Chairman or the vice-chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Human Resources committee.
- 26.5. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by staff relates to a member of the Human Resources committee, this member shall be replaced by the substitute member and shall be reported back and progressed by resolution of the Human Resources Committee.
- 26.6. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- 26.7. In accordance with standing order 22.1, persons with line management responsibilities shall have access to staff records referred to in standing order 26.6.

27. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 28.

27.1. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

~~27.2. [If gross annual income or expenditure (whichever is higher) does not exceed £25,000] The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.~~

OR

27.3. [If gross annual income or expenditure (whichever is the higher) exceeds £200,000] **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

28. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

Below is not an exclusive list. See also standing order 22.

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

29. RELATIONS WITH THE PRESS/MEDIA

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

30. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 1.2(xii) and (xvii).

- 30.1. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 30.2. **Subject to standing order 30.1 the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

31. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- 31.1. An invitation to attend a meeting of the 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 Council.

31.2. 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 Council.

32. STANDING ORDERS GENERALLY

32.1. 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.

32.2. A motion to add to or vary or revoke one or more of the 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 three councillors to be given to the Proper Officer in accordance with standing order 20.

32.3. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

32.4. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

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The Model Standing Orders 2018 for England were revised in 2020.



SANDOWN TOWN COUNCIL

SANDOWN TOWN COUNCIL

FINANCIAL REGULATIONS

To be read in conjunction with Standing Orders as adopted by the Town Council.

APPROVAL DATE:
REVIEW DATE:
MINUTE NUMBER:

Contents

1. GENERAL	2
2. ANNUAL ESTIMATES/PRECEPT.....	2
3. RISK MANAGEMENT ASSESSMENT	2
4. BUDGETARY CONTROL.....	2
5. ACCOUNTING AND AUDIT.....	3
6. STAFFING.....	3
7. BANKING ARRANGEMENT AND CHEQUES (GENERAL)	3
8. INTERNET BANKING	4
9. PAYMENT OF ACCOUNTS.....	4
10. PAYMENT OF SALARIES AND WAGES.....	5
11. CONTRACTS FOR WORK AND GOODS AND SERVICES	5
12. LOANS AND INVESTMENTS	7
13. TOWN GRANTS	7
14. INCOME.....	8
15. INSURANCE	8
16. PETTY CASH.....	8
17. ASSETS, PROPERTIES AND ESTATES	9
18. HIRE OF TOWN COUNCIL FACILITIES.....	9
19. DATA PROTECTION ACT	9
20. FINANCIAL SCHEDULE	10
21. REVIEW OF REGULATIONS	10

1. GENERAL

- 1.1. These Financial Regulations shall govern the conduct of the financial management of the Council and may only be amended or varied by resolution of the Council or by Government legislation and shall be read in conjunction with Standing Orders adopted by the Council.
- 1.2. The Council shall appoint a person to act as the Councils Responsible Financial Officer (R.F.O.) to work in conjunction with and under the direction of the Town Clerk. The Town Clerk may, if desired also be the RFO
- 1.3. The RFO will be responsible for the proper administration of the Town Councils financial affairs and will be responsible for the production of financial management information as required by the Town Clerk and Council.

2. ANNUAL ESTIMATES/PRECEPT

- 2.1. Each committee shall formulate and submit proposals to the Council in respect of revenue and capital including the use of reserves and sources of funding for the following financial year not later than the end of November.
- 2.2. Detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the year shall be prepared by the RFO in the form of a draft budget in consultation of the Town Clerk. This draft will be made available to all members before being considered by the Council.
- 2.3. The Council shall set the budget and not later than the end of February shall fix the precept for the ensuing financial year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved budget which shall form the basis of financial control for the ensuing year.
- 2.4. The approved annual budget shall form the basis of financial control for the ensuing year.

3. RISK MANAGEMENT ASSESSMENT

- 3.1 The RFO will produce a Risk Management Assessment document each year for consideration by the Council as part of Internal Control.
- 3.2 Once agreed, the Risk Management Assessment must be formally approved in February to stand alongside the full year budget.
- 3.3 The RFO or Town Clerk will highlight at the earliest opportunity, where there are indications that a risk referred to within the Assessment is becoming active. The Council will consider the matter and recommend any necessary action.

4. BUDGETARY CONTROL

- 4.1 Expenditure should always be in accordance with the annual estimated budget and precept levied.

- 4.2 The RFO will advise the Council of any planned expenditure that will exceed the budget. Should they still wish to proceed with the expenditure, the Council must indicate from where such overspend should be funded.
- 4.3 All items of expenditure exceeding £5,000 incurred on behalf of the Town Council must be approved by specific resolution of the Town Council unless approved by the Council within the budget set for that financial year.
- 4.4 All Councillors shall have the right to question the RFO as to the content of any financial figures provided.
- 4.5 The RFO can vire amounts up to £1,000 in the budget with the Town Clerk's authorisation but will report back any virements at the next meeting of the Council.

5. ACCOUNTING AND AUDIT

- 5.1 All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.
- 5.2 The RFO is responsible for ensuring the annual accounts of the Town Council are completed as soon as practicable after the end of the financial year and will submit a copy to each member before the end of May. The RFO will also report thereon to the meeting of the Town Council.
- 5.3 The Town Council will employ a competent internal auditor independent of the operations of the Council. The internal auditor shall be free from any conflict of interest and have no involvement in the financial decision making of the Council. The internal auditor will undertake the role in accordance with regulation 6 of the Accounts and Audit Regulations 2003.
- 5.4 The internal auditor will complete their work no later than May in each year. Their written report will be provided to, and considered by, members at the first monthly meeting after its completion.
- 5.5 The Annual Statement of Accounts, required for external audit, must be prepared by the RFO for formal approval at a meeting held before the end of June.
- 5.6 The Town Clerk will ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices.

6. STAFFING

- 6.1 Council employees will be employed on the National Agreement of Pay and Conditions of Service of the National Joint Council (NJC) for Local Government Service.

7. BANKING ARRANGEMENT AND CHEQUES (GENERAL)

- 7.1 The Town Council's banking arrangements will be approved by the Town Council.
- 7.2 At least two accounts will be maintained: a current account and a deposit account.

- 7.3 Banking income - see regulation 14
- 7.4 Cheques and withdrawal forms will be signed by the Town Clerk with two confirmatory signatures being obtained from Council Members.
- 7.5 The signatories shall each initial the counterfoil.
- 7.6 A list of cheque signatories will be maintained.
- 7.7 A bank debit card may be used up to a limit of £1000 in any one transaction and reported as payments schedule at the monthly meeting. Any expenditure exceeding the limit shall require signed authority from the Mayor/Deputy Mayor.
- 7.8 Banking arrangements shall be reviewed annually.

8. INTERNET BANKING

- 8.1 No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.
- 8.2 Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator.
- 8.3 The Bank mandate will clearly state 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.
- 8.4 Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this regulation will be treated as a very serious matter under these regulations.
- 8.5 Changes to account details for suppliers, which are used for internet banking may only be changed on approval of the RFO.

9. PAYMENT OF ACCOUNTS

- 9.1 Apart from petty cash payments (see regulation 16) all accounts will be paid by either cheque or internet banking or other order drawn on the Town Council's Bank.
- 9.2 Before certifying any invoice, the RFO will satisfy that the work, goods or services to which the invoice relates have been carried out, received, examined and approved.
- 9.3 All invoices under £2,000 will be examined, verified and certified by RFO.
- 9.4 All invoices over £2,000 will be examined, verified and certified by the RFO and the Town Clerk.
- 9.5 The RFO, when satisfied as to the validity of the invoice, will take reasonable steps to settle invoices received within any time period agreed with the contractor, or

supplier. The Council will normally wish to negotiate, and pay to, net monthly terms.

- 9.6 All certificated invoices will be kept with the accounts for auditing purposes.
- 9.7 If a payment is necessary to avoid a charge of 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 council, where the RFO can certify that there is not dispute or other reason to delay payment, the RFO may take all necessary steps to settle such invoices provided that a list of such payments shall be submitted to the next meeting of the council for ratification.
- 9.8 The RFO will deal with the VAT element of each invoice ensuring the correct sum is recovered as appropriate from HM Revenues and Customs.
- 9.9 Payment for utility supplies (energy, rates, telephone, and water) may be made by variable Direct Debit provided that the instructions are signed the Town Clerk and any payment is reported to the Council meeting. All direct debits shall be reviewed annually.
- 9.10 Payments will be verified against invoices by two members who are bank signatories and the schedule signed. The schedule will be presented at the next meeting of council as an agenda item for approval.

10. PAYMENT OF SALARIES AND WAGES

- 10.1 The salaries of all employees will be paid monthly, in accordance with the terms agreed in their contract with the Town Council.
- 10.2 All hourly paid employees must complete a separate time sheet every week, detailing the hours worked and the tasks performed. Each time sheet must be authorised by the Town Clerk before payment can be effected.
- 10.3 The RFO will be responsible for the calculation of wages and salaries and the payment there of. Payment will be by BACS wherever possible.
- 10.4 The RFO will ensure that all relevant taxes are deducted as appropriate and payment for same made to the relevant authorities on a timely basis.
- 10.5 Payroll services can be outsourced to a third party.

11. CONTRACTS FOR WORK AND GOODS AND SERVICES

- 11.1 Procedures are laid down as follows: -
- 11.2 Every contract shall comply with these financial regulations, and no exception shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts that relate to items 11.2.1 to 11.2.7.
- 11.3 For the supply of gas, electricity, water, sewage and telephone services.

- 11.4 For specialist services such as are provided by solicitors, accountants, surveyors and planning consultant.
- 11.5 For work to be executed or goods or materials to be supplied which consists of repairs to or parts of existing machinery or equipment or plant.
- 11.6 For work to be executed or goods or materials be supplied which constitute an extension of existing contract by the Council.
- 11.7 For additional audit work of the external Auditor up to an estimate of £1,000.
- 11.8 For goods or materials proposed to be purchased which are priority articles and/or only sold at a fixed price.
- 11.9 The principle of best value will be embraced at all times when negotiating for any work, goods or services.
- 11.10 The Town Clerk, following consultation with the Town Mayor or appropriate Committee Chairman is empowered to purchase goods or services, or undertake emergency small works to the value of £5,000.
- 11.11 When applications are made to waive financial regulations relating to contract to enable a price to be negotiated without competition the reason shall be embodied in the recommendation to the Council.
- 11.12 For work of a value of £5,000 but less than £25,000, three written quotations should be obtained and brought to a meeting of the Council for approval where there are a sufficient number of suppliers to do so.
- 11.13 For work less than £5,000 three written estimates should be obtained where there are a sufficient number of suppliers to do so unless work can be undertaken by contractor from the preferred supplier list.
- 11.14 When contracts exceed EU thresholds EU procurement directives must be followed.
- 11.15 Any tender received after specified time shall remain unopened, save that such tender may be considered when the Council is satisfied that there is evidence of posting in time for delivery by the normal course of delivery and the other tenders have not been opened.
- 11.16 The Town Clerk will keep on file:
 - (i) A copy of all advertisements for expressions of interest in a contract.
 - (ii) A record of the number of expressions of interest received together with a list of those selected for further discussions.
 - (iii) The criteria used in the selection process should be recorded and the candidate's scores.
- 11.17 All contracts entered into by the Town Council will be passed by resolution made by the Town Council.
- 11.18 The Town Clerk will maintain a Register with details of companies tendering for contracts, tenders received and details of tender opening and evaluation and the Town Councils decision.

- 11.19 Whilst best value principles must always be adopted when deciding upon a contract, the Town Council will not be bound to select the lowest, or any tender.
- 11.20 In accordance with the Transparency Code Compliance, details of orders, commissioned activities, contracts and any legally enforceable agreements of a value that exceeds £5000 and invitations to tender for contracts and services of a value that exceeds £5000 will be made available on the Town Council website.

11.21 Hard Copy Submissions

- (i) tenders submitted in writing, should be provided in a sealed marked envelope addressed to the Proper Officer;
- (ii) 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;

11.22 Digital Submissions

- (i) tenders submitted digitally shall be opened by the Proper Officer after the deadline for submission of tenders has passed.
- (ii) the email containing the original submission shall be retained.;

12. LOANS AND INVESTMENTS

- 12.1 All loans and investments will be negotiated by the RFO in the name of the Town Council. Changes must be reported to the Town Council at the earliest opportunity.
- 12.2 All certificates, statements, and other documents relating to banking matters and investments will be retained in the custody of the Town Clerk.
- 12.3 The Council shall consider the need for an investment policy, which shall be in accordance with relevant regulations, proper practices and guidance. Any policy shall be reviewed annually.
- 12.4 All investments and borrowings shall be affected in the name of the Council after obtaining any necessary borrowing approval. Any application for borrowing shall be approved by the Council as to terms and purpose.

13. TOWN GRANTS

- 13.1 Any organisation or club applying for a Town Council Grant must complete a Grant Application Form to be submitted by a specified deadline.
- 13.2 Grant applications will be considered by the Council within the approved budget allocated by the Council.
- 13.3 Grant applicants may be invited to speak for up to three minutes and answer members' questions at the meeting which considers their application.
- 13.4 In accordance with the Transparency Code compliance all grants over £500 will be listed on the Town Council website.

14. INCOME

- 14.1 The collection of any sums due to the Town Council will be the responsibility of the RFO.
- 14.2 Any sums found to be irrecoverable, and any bad debts shall be reported to the Council as to whether the debts shall be written off.
- 14.3 All sums due to the Town Council will be banked as soon as possible but must be banked within ten working days of receipt (Insurance Company policy may demand more frequent banking)
- 14.4 All cash paid from hall hire will be recorded on the date of receipt and kept safe until banked or if the total sum exceeds £500.
- 14.5 The RFO shall ensure prompt completion of VAT returns in accordance with the requirements of HM Revenue and Customs. Any refund claim due to the Council shall be made at least annually coinciding with the year end.
- 14.6 No personal cheques shall not be cashed out of money held on behalf of the Council.

15. INSURANCE

- 15.1 The RFO will deal with all insurance matters and negotiate all claims on the Town Councils insurers.
- 15.2 The RFO and Town Clerk will ensure the Town Councils property; effects and risks are covered by policy and annually review the situation.
- 15.3 The Town Clerk or RFO will advise the Town Council at the earliest opportunity in the event of any known loss liability or other situation, which may lead to a claim.
- 15.4 All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.
- 15.5 As a requirement of the insurance sector, an insurance inventory of the Town Council's assets will identify both purchase and the replacement values of items.

16. PETTY CASH

- 16.1 The RFO may maintain a petty cash float of up to £250 for the purpose of defraying operational and other expenses.
- 16.2 Vouchers for payments made from petty cash shall be kept substantiating the payment.
- 16.3 Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

- 16.4 Replenishment of petty cash will be from the bank account and not from any income stream.
- 16.5 The RFO is responsible for petty cash and floats which will be independently checked on an intermittent basis by the Town Clerk or as part of the Council Internal Review.
- 16.6 A £50 limit to the value of any single petty cash transaction is allowed.

17. ASSETS, PROPERTIES AND ESTATES

- 17.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council.
- 17.2 The Asset Register should include the following, whether purchased, gifted or otherwise acquired, together with their holding location:
 - (a) All land and buildings held freehold or on long term lease in the name of the Council,
 - (b) Community assets,
 - (c) Vehicles, plant and machinery,
 - (d) Assets considered to be portable, attractive or of community significance,
 - (e) Other assets estimated or known to have a minimum purchase or resale value of £100 and a useful life of longer than 1 year.
 - (f) Long term investments, shares and loans made by the Council
- 17.3 No property shall be sold, leased or otherwise disposed of without the authority of the Council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £50.
- 17.4 The Town Clerk shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date.
- 17.5 The continued existence of tangible assets shown in the Register shall be verified at least annually in conjunction with a health and safety inspection of external assets.

18. HIRE OF TOWN COUNCIL FACILITIES

- 18.1 All aspects of hire are the responsibility of the Town Clerk in accordance with policy.
- 18.2 The Town Council will review fees and charges of hire annually.

19. DATA PROTECTION ACT

- 19.1 The Town Clerk/RFO will ensure all aspects of the Data Protection Act are adhered to.

20. FINANCIAL SCHEDULE

20.1 The attached schedule is appended to and forms part of these Financial Regulations.

21. REVIEW OF REGULATIONS

21.1 These financial regulations shall be reviewed at every two years or more often if appropriate due to changes in legislation.

21.2 Any update or amendment shall be reviewed by the Council for approval.

Annual Financial Schedule

Month	Matter	Action	Minute Required	Publication on Website
January	Budget and Precept	Circulate draft budget	No	No
February	Budget and Precept	<ul style="list-style-type: none"> • Approve Budget and set precept. • Communicate to IWC 	Yes	Yes
	Internal Auditor Appointment	Appoint Internal Auditor to complete audit by end of May	Yes	No
	Risk Management	Review, receive and approve.	Yes	Yes
May	Year End Accounts	To receive and approve year end accounts	Yes	Yes
	Asset Register	To review and approve the updated asset register	Yes	No
	AGAR	<ul style="list-style-type: none"> • To approve the Annual Return Governance Statement and Accounting Statements. • To Submit the Annual Return Governance Statement and Accounting Statements. • To advise of submission of Annual Return Governance Statement and Accounting Statements. 	Yes	Yes
June/July	Notice of Electors Rights	<ul style="list-style-type: none"> • Notice of electors rights published on website with Annual Return Governance Statement and Accounting Statements advising that accounts are available for public inspection (This period should start on the following day which must include the first 10 working days of July) • A copy of notice should be retained on file 	Yes	Yes
	External Audit	Relevant documents to be submitted to External Auditors and any subsequent queries to be dealt with by RFO	No	No
September	External Audit	Notice of completion to be posted to Website by 30 September	No	Yes
September	External Audit Report	Report and Opinion to be presented to the council at its next meeting.	Yes	Yes