

Headley Parish Council

Standing Orders

Reviewed 29th March 2021

1. Councillors

1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.

1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.

1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

2. Annual Meetings

2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the Annual Meeting will take place on an appropriate day in May.

2.2. If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman and Vice Chairman and to receive their acceptance of office.

2.3. The retiring Chairman will report on the activities of the Council for the preceding year.

3. Meetings

3.1. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

3.2. An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of an agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear business days before the meeting.

3.3. Public notices will be posted in conspicuous places informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.

3.4. Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential. The public are entitled to take photographs, film and audio-record the proceedings, and report on such meetings.

3.5. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.

3.6. The agenda for the meeting will be agreed by the Clerk and Chairman (or Vice Chairman as appropriate). The agenda will always include an item to enable Councillors to declare interests.

An opportunity for public questions will be made available immediately before the commencement of each meeting.

3.7. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.

3.8. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

3.9. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.10. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.11. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

3.12. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record any decisions made by the Council. Draft minutes will be circulated to Councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which the amended unapproved draft minutes will be made available to the public. The minutes will then be approved at the following meeting and signed by the person presiding at that meeting.

4. Finance

4.1. Responsible Finance Office (RFO) 4.1.1. The Responsible Finance Officer is a statutory office and appointed by the Council. The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with Proper Practices.

4.2. Estimates and Precept 4.2.1. The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget not later than the end of December in preparation for the precept being agreed, and submitted to Mole Valley District Council in January. During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and changes minuted.

4.3. Income and Expenditure 4.3.1. The RFO will supply regular updates of income and expenditure throughout the year and detail actual figures against estimate. Significant under spends or overspends will be brought to the attention of the Council and action taken to address any discrepancies. Under spent revenue will be identified and earmarked to reserves by a Council resolution.

4.4. Accounting and Audit 4.4.1. The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.

4.4.2. The RFO will complete the annual financial statements of the Council including the Annual Return as soon as practicable after the end of the financial year and will submit and report on them to the Council. The Council will review each year and ensure that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.

4.4.3. An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.

4.4.4. The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

4.5. Banking Arrangements and Cheques

4.5.1. The Council's banking arrangements, including the Bank Mandate, will be made by the RFO and approved by the Council. They will be regularly reviewed for efficiency.

4.5.2. All Members will become signatories for cheque signing purposes, with any two from seven to sign each cheque.

4.5.3. All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure. Cheques will be completed for all transactions and signed by two authorised Councillors.

4.6. Loans and Investments

4.6.1. All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council.

4.6.2. All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.

4.6.3. All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

4.7. Contracts and Purchase Orders 4.7.1. An official order or letter will be issued for all work or service paid for by the Council. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction.

4.7.2. Orders for values £200 to £1000 require a minimum of three estimates; for values above £1000 three quotations are required. Contracts exceeding £20,000 require three Tenders and additional safeguards and will follow Proper Practice.

4.7.3. All estimates, quotations or Tenders will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

4.8. Assets 4.8.1. The RFO will ensure that an appropriate and accurate Register of Assets is maintained by the Council. It will be reviewed at least annually, in conjunction with a health and safety inspection of assets if appropriate.

4.9. VAT 4.9.1. The RFO will promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1974 section 33 will be made at least annually coinciding with the financial year.

5. Insurance

5.1. Following the annual risk assessment the Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

6. Risk Assessment

6.1. A risk Assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually.

6.2. If the Council undertakes a new activity not covered by the existing Risk Assessment an assessment will be undertaken before the activity commences.

7. Freedom of Information 7.1. The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

8. Clerk to the Council

8.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.

8.2. The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.

8.3. The Clerk will act as Responsible Financial Officer.

8.4. As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

9. General rules of remotely held meetings – valid until May 2021

- a. This section reflects the [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#), specifically the sections to enable council meetings to be held using remote video approaches. These regulations came into force on 4 April 2020, and remain in force until May 2021.
- b. Regulation 5(2) of the 2020 Regulations provides that a member in remote attendance attends the meeting at any time if the member is able at that time:
- i) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
 - ii) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
 - iii) to be heard and, where practicable, be seen by any other members of the public attending the meeting.

All of the above conditions must be satisfied.

These conditions allow members to join via a video link system or by telephone so long as every member can be heard by every other member and the public.

All members, clerk and other staff, and any members of the public will be in attendance for the purposes of the 2020 Regulations if they are in remote attendance.

- c. The Clerk will set up the meeting (the Host) with the following meeting arrangements:
- The web url will be shared publicly on the agenda, on the website and noticeboard. Members of the public will be invited to email the clerk to acquire the Meeting ID and Password prior to the meeting.
 - The Clerk will enable the 'waiting' and set all participants to mute on entry.
 - Members (including members of the public) are asked to mute their device when they are not speaking.
 - Roll call to be taken at the beginning of the meeting to determine those Councillors which are present for those who may not have a video link.
 - The Chair will remind everyone to be respectful to each other.
 - As with meetings held in the Village Hall, members of the public will be given the opportunity to speak during public participation, but will not be permitted, unless invited by the Chair, to speak at other times. Public participation will include

questions sent by email or communicated by phone, which will be raised at the council meeting. Responses will be communicated back to the member of the public in the most appropriate form.

- Votes to be read back to ensure every vote is recorded accurately.
- The 'chat' function will not be used, other than by exception e.g. for secret ballots, and no files will be shared via Zoom, other than by exception e.g. planning documents.
- If an individual councillor loses connection during the consideration of an item, the Chairman (or the Vice-Chairman, if it is the Chairman who has been affected) may call a short adjournment of up to five minutes to assess whether a connection can be quickly re-established. If not, the meeting should continue to deal with the business at hand (and providing it is quorate)
- In this case, if it has not been possible to reconnect in a reasonable time, the Member who was disconnected will not be able to vote on the matter under discussions as they will not have heard all of the facts.