

EPC Standing Orders

**Standing Orders
Summary Financial Regulations
Code of Conduct
Publications scheme
Parish Council information**

**For
Epwell Parish Council**

**These standing orders were adopted by the Parish Council at a meeting
held on 7th March 2016
Standing Orders version 4
5th March 2016**

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Introduction

**Standing orders are the written rules of a local council
Epwell Parish Council (EPC) has compiled these Standing Orders to help
clarify its rules and to help communicate how the Parish Council and its
Councillors must operate.**

Epwell Parish Council is a ‘corporate body’. Its decisions are the responsibility of the whole body. EPC operates with 5 Councillors. 3 Councillors must be present for the Council to be quorate.

The tasks of the Council include being aware of local issues, representing the interests of the community and taking decisions on its behalf.

The following Standing Orders include what we MUST do to act legally, transparently and with good governance, together with our own rules to ensure the smooth running of the council. They also describe ‘task and finish groups’ which enable the Council to complete agreed works.

Also included in this document are the Financial Rules, Code of Conduct, Publication Scheme and Parish Council information.

Standing orders including finance

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 ‘ <i>Declaration of Acceptance of Office</i> ’ in the presence of the Clerk of the Council, or in the presence of a Councillor who has been specifically designated by the Council for this purpose. An individual cannot act as a Councillor until this form is signed.
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. Usually this will be the first item on the agenda.
1.4	If a casual vacancy arises during the term of a Council then this vacancy must be advertised. An election must be held if 10 or more parishioners call for one. In the event that no election is called for then a vacancy can be filled by co-option.
1.5	If a councillor resigns, then this is with immediate effect from the time the Chair accepts the resignation.

1.6	<p>When an agenda is issued by the Clerk this is a legal summons to attend Parish Council meeting. A Councillor could lose their place by failure to attend meetings. A Councillor ceases to be a member of the Council if they fail throughout a period of six consecutive months to attend a meeting, unless the Council approves this absence.</p>
1.7	<p>All Councillors must complete a registration of interest for both themselves and for their partner / spouse. This must be done by the end of May in an election year (or upon co-option) This data is recorded on the Cherwell Council website.</p>
2	Annual Parish Council Meetings
2.1	<p>The Parish Council must hold an Annual Parish Council Meeting in May each year. If the Annual Meeting is in an election year it must be held within 14 days after that election on which day the new councillors will take office. If it is not an election year then the annual meeting will take place on an appropriate day in May.</p>
2.2	<p>The retiring Chair presides at the start of the Annual Meeting, even if not a member of the new council. The retiring Chair will report on the activities of the Council for the preceding year. The first business of the Annual Meeting will be the election of the Chair (and Vice Chair, if appropriate) and to receive their acceptance of office. As soon as the new Chair is elected and accepts office he presides over the remainder of the meeting. At this point, if the retiring Chair is retiring from the council or was not re-elected, he ceases to be a councillor. The retiring Chair may be re-elected as Chair.</p>
2.3	<p>The new Councillors should all sign a declaration of office. The new Chair also signs a declaration of office of Chair. At this meeting Councillors' areas of responsibility may be allocated. New areas can be created if appropriate. The dates of the ordinary Parish Council meetings for the coming year will be discussed.</p>
3	Meetings
3.1	<p>Meetings will be held in appropriate, accessible accommodation, usually Epwell Village Hall. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.</p>
3.2	<p>The Parish Council must hold at least 4 meetings each calendar year, one of which is the Annual Parish Council Meeting. EPC usually has 6 meetings a year and aims to hold the Parish Council Meetings on the 1st Monday of every alternate month (Jan, Mar, May etc). An agreed frequency of meetings will be decided at the Annual PC Meeting and Councillors will be advised of the meetings by the issue of a summons/ agenda delivered by email.</p>

The agenda must be published at least three clear business days before the meeting. (3 clear days do not include the day on which the notice was issued, the day of the meeting, Sundays or Bank Holidays, but can include a Saturday)

3.3 Public notices about meetings will be posted on the parish council notice board 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. The notice may also be posted on the community website www.epwell.com and the date/time of the meeting on the village email service.

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. Rules on the recording of meetings can be found on the CDC website.

3.5 Members of the public may speak at Council meetings at the discretion of the Chair of the meeting on matters relating to the agenda only. There will be a standing order on the Agenda at the beginning of each meeting for up to 10 minutes for public contribution. To allow as many people as possible to speak the Chair will restrict individual speaking time to 3 minutes. A question from the public should be directed to the Chair and shall not require a response at the meeting nor start a debate on the question. The Chairman may direct that a written or oral response be given later.

3.6 The Chair will aim to ensure that the meeting runs smoothly, without disruption, and will ask people to modify any behaviour that disrupts a meeting. If disruptive behaviour continues a councillor, usually the Chair, may move a motion requiring anyone disrupting the meeting to leave. If the person refuses to leave and disruptions continue the Chair may suspend or close the meeting.

Creating the agenda

4.1 The agenda for the meeting will be agreed by the Clerk and Chair (or Vice Chair) as appropriate. The Chair has responsibility for the proper conduct of the meeting and needs to be involved in the planning of the meeting. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions or comments on agenda items will usually be made available before the start of the main business on the agenda. Any councillor may request an item to appear on the agenda. This request should be made in writing to the Clerk at least 7 days before the agenda must be published.

The Clerk and the Chair can decide if this is a proper item to be included. The Clerk is ultimately responsible for the Agenda as our Proper Officer. The usual format will be:

- **Record members Present**
- **Record Apologies**
- **Declarations of interest**
- **Formal Announcements from the Chair**
- **Agree minutes from previous meetings**
- **Public Participation**
- **Business on the Agenda**

4.3 The Council may only take decisions on items clearly specified on the agenda. However, if agreed by the Chair, any urgent items, which are not on the agenda, may be discussed, but no decision may be made, at that meeting. In exceptional circumstances pressing legal or safety matters may be decided upon.

4.4 The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair will preside. If neither is 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 Chair for the meeting.

4.5 The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there are insufficient members present after **30 minutes** of the start of the meeting then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

4.6 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.

4.7 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.

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

5 **Creating the Minutes**

5.1 A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes, which are circulated, will be draft minutes until the Parish Council at their next meeting approves them and they are signed and dated by the person presiding at that meeting.

Minutes can be produced in court and other judicial processes as evidence of decisions of the council. They form part of the council archives and must be preserved.

Minutes should be produced as quickly as possible. A draft should be sent to the Chair to check for matters of accuracy. Minutes will normally be circulated by email to Councillors as draft minutes within 10 days of the meeting. Draft minutes will be posted on the Notice Board and the village website, usually within 3 weeks of the meeting.

5.2 Declaration of interests must be recorded. With regard to planning applications – if a Councillor has a personal interest in a planning application then the person must leave the meeting while discussions take place.

5.3 Any 2 Councillors may submit a written request to the Chair for an extraordinary Parish Council meeting. If the Chair has not called a meeting within 7 days of receiving such a request then the 2 councillors may call the meeting.

6 Communication Methods

6.1 Councillors have agreed to receive communications by email, where possible. The parish council notice board, village magazine, village website and email events service will be used to communicate with the public. The notice board will be kept in good order by the Clerk and the Chair. Agendas and Minutes will be published on the notice board and web site. The Parish Council has a Publication Scheme, on page 12.

7 Finance

7.1 Responsible Finance Office (RFO)

7.1.1 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.

7.2 Estimates and Precept

7.2.1 The RFO will compile estimates of income and expenditure annually for the Council's consideration. The Council will review the budget for the following year in **November** and at the **January** meeting in preparation for the precept being agreed, and submitted to the Collection Authority 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.

7.3 Income and Expenditure

7.3.1 The RFO will supply regular updates of income and expenditure throughout the year and detail actual figures against estimate. Significant underspends or overspends will be brought to the attention of the Council and action taken to

	address any discrepancies. Underspent revenue will be identified and earmarked to reserves by a Council resolution.
7.4	Accounting and Audit
7.4.1	The RFO will determine all accounting procedures and financial records of the Council in accordance with the Accounts and Audit Regulations.
7.4.2	The RFO will complete the annual financial statements of the Council including the annual return as soon as practical 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.
7.4.3	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.
7.4.4	The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete. In 2017 the rules on external audits are going to change.
7.5	Banking Arrangements and Cheques
7.5.6	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.
7.5.7	A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.
7.5.8	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. The clerk will initial all counterfoils.
7.5.9	Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Councillors
7.6	Loans and Investments
7.6.1	All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council
7.6.2	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.
7.6.3	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.

7.7	Contracts and Purchase Orders
7.7.1	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
7.7.2	Orders for values: Under £500 the Clerk can accept 1 quote. £501 – £1000 – 2 quotes will be required. £1001 – £2000 – 3 quotes will be required. Contracts exceeding £2,000 require additional safeguards and will follow proper practice.
7.7.3	All estimates 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. The council will always consider good value and the Social Value Act 2013.
7.8	Assets
7.8.1	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. These Standing Orders authorise the Clerk to spend up to £100 from the budget item ‘contingency’ on a single transaction to maintain assets in good order so as to protect assets and protect insurances.
7.8.2	The Clerk may in consultation with the Chair also authorise ad hoc spending on administration such as authorising training that supports the Parish Council. In addition the Clerk may make decisions regarding Health & Safety issues and the efficient running of the Parish Council, in consultation with the Chair. All such spend must be reported at the next Parish Council meeting, properly minuted and shown in the accounts.
7.9	
7.10	VAT
7.10.1	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.
7.11	Insurance
7.11.1	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.
7.12	Risk Assessment
7.12.1	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.
7.12.2	If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.
8	Freedom of Information
8.1	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.
9	Clerk to the Council
9.1	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 who will usually be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.
9.2	The Clerk will act as the Proper Officer of the Council, and 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; prepare minutes 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.
9.3	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 Chair or designated Councillor acting with the authority of the Council.
9.4	The clerk will usually send all formal letters and handle all correspondence. However Councillors may send general correspondence if they are pulling issues together, fact finding or finishing an agreed task. The Clerk should always be copied in so a record is maintained. Where appropriate the Chair and the rest of the council should also be copied in. Councillors should be mindful that all correspondence could be asked for under a Freedom of Information request.
10	Committees and ‘Task and Finish Groups’:
10.1	The Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Council. The Council will set their Terms of Reference, and they will report periodically to the Council.

Examples might include: Speed Watch , Highways, Footpaths , Green areas, Planning , Parking

If the Council wishes, responsibilities may be split out between the Councillors. Typical responsibilities might include:
Highways, lighting, Speeding , Footpaths, Parish Green areas, Asset maintenance, Planning, Parking, Drainage & Ditches, Telecommunication Facilities, Signs, Traffic calming, War memorial, Village events, Admin & Finance, Community Emergency Plan, Liaison with other local organisations .

10.2

The remit and purpose of any committees will be reviewed at the Annual Parish Council Meeting which is also when members' responsibilities are discussed.

10.3

11 **Planning**

The Chair usually leads on planning. When the Clerk receives a planning notice, the Parish Council has 3 weeks to comment on any planning application. If necessary the Chair may call an Extraordinary Meeting.

11.1

12 **Emergency Business**

Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chair and one other Councillor. Actions will be reported promptly to the Council and minuted at the next ordinary Meeting. *(for example effluent running down a public road causing an immediate health hazard)*
A decision cannot be taken by a single Councillor.

12.1

13 **Alteration or Reversal of previous decisions**

Decisions of the Council will not usually be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

13.1

14 **Standing Orders**

These and any other standing orders will be reviewed annually by the Clerk and the Chair, and any amendments will be decided by the Council. They are based on the Model Standing Orders issued by NALC via OALC, which will be consulted if difficulties arise. In cases of doubt the Council will seek the advice of OALC.

14.1

14.2	During the course of meetings of the Council, the Chair's decision as to the interpretation of the standing orders will be taken.
	The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.
14.3	
15	Annual Parish Meeting
	The Annual Parish Meeting should not be confused with the Annual Parish Council Meeting. The Annual Parish meeting must be held between 1 st March and 1 st June. The Parish Council Chair runs this meeting with the Clerk recording the minutes. It is usually held in the Village Hall. This is a less formal meeting and gives villagers the opportunity to hear reports from village groups and to raise issues they wish the PC to consider The event will be held BEFORE the Annual Parish Council Meeting so that any ideas and issues raised can be fed into the agenda of the Annual Parish Council Meeting.

Code of Conduct CDC July 2012

issued by

1. This code of conduct is adopted pursuant to the council's duty to promote and maintain high standards of conduct by members and co-opted members of the council.
2. This code applies to you as a member or co-opted member of this council when you act in that role and it is your responsibility to comply with the provisions of this code.

Selflessness

3. You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself.

Objectivity

4. In carrying out public business you must make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

5. You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.

Openness

6. You must be as open as possible about your actions and those of your council, and must be prepared to give reasons for those actions.

Honesty and integrity

7. You must not place yourself in situations where your honesty and integrity may be questioned, must not behave improperly and must on all occasions avoid the appearance of such behaviour.

Leadership

8. You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example in a way that secures or preserves public confidence.

General Obligations

9. You must treat others with respect and ensure that you are aware of and comply with all legal obligations that apply to you as a member or co-opted member of the council and act within the law.

10. You must not bully any person.

11. You must not do anything that compromises or is likely to compromise the impartiality of those who work for, or on behalf of the council.

12. You must not disclose information given to you in confidence by anyone, or information acquired by you of which you are aware, or ought reasonably to be aware, is of a confidential nature except where:
 - A. You have the consent of a person authorized to give it
 - B. You are required by law to do so
 - C. The disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person, or
 - D. The disclosure is:
 - i. Reasonable and in the public interest
 - ii. Made in good faith and in compliance with the reasonable requirements of the council.

13. You must not improperly use knowledge gained solely as a result of your role as a member for your own personal advantage.

14. When making decisions on behalf of or as part of the council you must have regard to any professional advice provided to you by the council's officers.

15. When using or authorizing the use by others of the resources of the council:
 - A. You must act in accordance with the council's reasonable requirements;
 - B. You must make sure that you do not use resources improperly for political purposes and do not use them at all for party political purposes.

Registering and declaring interests

16. You must, within 28 days of taking office as a member or co-opted member, notify the council's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of someone with whom you are living with as a husband or wife, or as if you were civil partners.
17. You must disclose the interest at any meeting of the council at which you are present, where you have a disclosable interest in any matter being considered and the matter is not a "sensitive interest" (see CDC website).
18. Following any disclosure of an interest not on the council's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
19. Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. You must withdraw from the room when the meeting discusses and votes on the matter.

Publication Scheme

A council's Publication Scheme includes information that the council is expected to routinely publish and proactively make available to the public. As authorised by the 2000 Act, the Information Commissioner has created a 'model publication scheme' for all local councils.

7 classes of information must be made available to the public.

Class	Examples of information	Epwell
Who makes up the council and their roles	Names of Councillors and the name of the Chair.	Parish Council Information on village website Parish Council noticeboard
What the Council Spends and how it spends it	Annual Return form Precept Request	Budgetary information is available on request from the Clerk. Also annual accounts and budgets will be on the village website
The Councils priorities	Annual report	This will be posted on the notice board and village website each May
	Areas of responsibility	Responsibilities are allocated according to the Standing Orders. These will be allocated in May each year and recorded in the Minutes.
How the council makes decisions	Timetable of meetings Agendas Responses to planning Councillors register of interests	Meetings are publicised on the notice board and website The register of interest is held on Cherwell DC website

The Council's policies and procedures	Conduct of Business	These are set out in the Standing Orders
Lists and registers	List of assets	Available from the Clerk
Council services		Set out in the Standing orders and agreed each year at the Annual Parish Council Meeting.

The Notice Board and the village website are the primary means of communication with the public. The Chair and the Clerk will maintain these. The Parish Council will also make use of the village magazine and email events service for notices.

All information is available from the Clerk.