

Longhorsley Parish Council

Standing Orders

Adopted 16th May 2018

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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 and other relevant briefing material for 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. Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- 1.4 On receipt of a written application from a councillor, the Council may grant a dispensation to him or her to speak and (if agreed by the Council) to vote on a matter in which he or she has an interest. The Council will record in the minutes the details of the dispensation which is granted, for public inspection. This will include:
 - i. The description and the nature of the disclosable pecuniary interest or other interest to which the request for dispensation relates;
 - ii. Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and vote;
 - iii. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought;
 - iv. An explanation as to why the dispensation is sought.
- 1.5 A dispensation may be granted 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;
 - iii. It is otherwise appropriate to grant a dispensation.

2. Disorderly Conduct at Meetings

- 2.1 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.
- 2.2 If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor 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.

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- 2.3 If a resolution made under standing order 2 (b) is ignored, the chairman may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Annual Meetings

- 3.1 In an election year, the annual meeting of Council shall be held on or within 14 days following the day on which the councillors elected take office. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- 3.2 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, if appropriate) and to receive their acceptance of office.
- 3.3 The retiring Chairman will report on the activities of the Council for the preceding year.
- 3.4 In addition to the business in 3.2 and 3.3 above, the business of and requirements for an annual meeting will be subject to the same provisions as are specified for council meetings in section 4, below.

4. Meetings

- 4.1 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.
- 4.2 An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by email. The meetings will take place once per month with the exception of August when no meeting will occur. The agenda may be delivered by email, as Longhorsley Parish Council has previously agreed to this, but must carry an electronic signature. In any case the agenda must be issued at least three clear business days before the meeting. The requirement for the issue of the summons and agenda also applies to additional ordinary meetings or extraordinary meeting should they be required.
- 4.3 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. The notices will be displayed on the Parish Council notice board and on the website.
- 4.4 Meetings will be open to the parishioners, members of the public and press but they may be temporarily excluded from the meeting if any business is regarded as confidential.
- 4.5 Longhorsley parishioners and members of the public may record and transmit electronically the proceedings of a meeting of the Council and of any of its committees. No recording may be made of the parishioners and members of the public who are in attendance at the meeting, or of matters that occur in the meeting-place immediately prior to or following the meeting, without the Council's prior consent.
- 4.6 Longhorsley parishioners and members of the public may speak at Council meetings at the discretion of the Chairman of the meeting. The meeting will be adjourned at 8pm to

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allow Longhorsley parishioners and members of the public present the opportunity to speak. The adjournment will be for a maximum of twenty minutes and each speaker will be allowed a maximum of four minutes. This time limit may be extended at the request of any councillor to enable full and appropriate discussions to be concluded.

- 4.7 The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests.
- 4.8 The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.
- 4.9 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.
- 4.10 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.
- 4.11 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.
- 4.12 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.
- 4.13 In cases of equal votes, the Chairman (or other person presiding) will have a second or casting vote.
- 4.14 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, if appropriate, at the next Parish Council meeting, and the minutes will then be approved and signed by the person presiding at that meeting.

5. Management of Information

- 5.1 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.
- 5.2 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

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and electronic form. The Council's retention policy shall confirm the period for which information shall be retained or if this is not possible the criteria used to determine that period.

- 5.3 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.
- 5.4 Councillors, staff and contractors shall not disclose confidential information or personal data without legal justification.

6. Finance

6.1 Responsible Finance Office (RFO)

- 6.1.1 The Responsible Finance Officer is a statutory office and appointed by the Council. The Clerk of Longhorsley Parish Council will take on this role of managing the Council's financial affairs in accordance with Proper Practices.

6.2 Estimates and Precept

- 6.2.1 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 the Collection Authority in January. During the year on a quarterly basis, the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and any changes minuted.

6.3 Income and Expenditure

- 6.3.1 The RFO will supply quarterly 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.

6.4 Accounting and Audit

- 6.4.1 The RFO will determine all accounting procedures and financial records of the Council in accordance with the "Governance and Accountability for Local Councils – a Practitioners Guide".
- 6.4.2 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) for the year to 31st March. The annual governance and accountability return of the Council, which is subject to external audit, shall be presented to the Council for consideration and formal approval before 30th June.
- 6.4.3 The Council will and ensure annually that there is an adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice.
- 6.4.4 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.

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

6.5 Banking Arrangements

6.5.1 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.

6.5.2 A resolution of the Council will nominate at least three signatories to be authorised by the Council to authorise payments.

6.5.3 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. BACS payments will be completed for all transactions and authorised by two approved signatories.

6.5.4 Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised signatories.

6.5.5 The RFO shall be authorised to spend £50 (fifty pounds) from petty cash in each month and shall keep, and present quarterly to the meeting of the Council, a statement recording expenditure.

6.6 Loans and Investments

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

6.6.2 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.

6.6.3 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.

6.7 Contracts and Purchase Orders

6.7.1 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.

6.7.2 Orders for values £500 to £2,000 require a minimum of two quotations; for values above £2,000 three quotations are required. Contracts exceeding £50,000 require additional safeguards and will follow Proper Practice.

6.7.3 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.

6.8 Assets

6.8.1 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.

6.9 VAT

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

7. Insurance

7.1 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.

8. Risk Assessment

8.1 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 and recorded in the minutes of the Council meeting.

8.2 If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

9. Responsibilities to Provide Information

9.1 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.

9.2 The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) Regulations 2015.

10. Responsibilities under Data Protection Legislation

10.1 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her personal data.

10.2 The Council shall have a written policy in place for responding to and managing a personal data breach.

10.3 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.

10.4 The Council shall ensure that information communicated in its privacy notice is in an easily accessible and available form and kept up to date.

10.5 The Council shall maintain a written record of its processing activities.

11. Clerk to the Council

11.1 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.

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- 11.2 The Clerk will act as the Proper Officer of the Council, and 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 documents on behalf of the Council (see planning applications below) and also advise the bank of changes to mandates with the bank. In relation to planning applications, a nominated councillor will receive and distribute for comment all applications. The Chairman will collate comments made by other councillors prior to submission to Northumberland County Council.
- 11.3 The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.
- 11.4 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. The Council must also have a Discipline and Grievance procedure in place.

12. Committees and task and finish groups

- 12.1 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. A councillor will be represented on each committee. The operation of the committee will be reviewed on an annual basis. Longhorsley Parish Council currently has:
- i. Moor Working Group
 - ii. Old Church Wood Working Group
 - iii. Neighbourhood Planning Steering Group

13. Emergency Business

- 13.1 Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

14. Alteration or Reversal of previous decisions

- 14.1 Decisions of the Council will not 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.

15. Standing Orders

- 15.1 These and any other standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.

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- 15.2 During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Northumberland Association of Local Councils.
- 15.3 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.

These Standing Orders were adopted by Longhorsley Parish Council at a meeting of Council held on 16th May 2018.