



Dorchester Town Council
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STANDING ORDERS

These standing orders were adopted by Council at its meeting of 26 July 2016

1. Rules of debate at meetings

- a 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.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g 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.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i 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.
- j Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k 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.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n 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 of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman 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 he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
 - r 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 requirements.
 - s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
 - t Excluding motions moved using standing order 1(r) the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.
- 2. Disorderly conduct at meetings**
- a No person, including councillors, 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.
 - b 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 excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion. If a resolution is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting, including temporarily suspending or closing the meeting.
- 3. Meetings generally**
- a The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
 - b 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.
 - c With the permission of the Chairman, 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.
 - d The period of time designated for public participation at a meeting shall not exceed 30 minutes unless directed by the chairman of the meeting.
 - e A member of the public shall not speak for more than 3 minutes unless permitted by the chairman of the meeting.
 - f 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.
 - g At Council a person shall raise his hand when requesting to speak and stand when speaking (except

- when a person has a disability or is likely to suffer discomfort). The Mayor may at any time permit a person to be seated when speaking
- h A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - i 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.
 - j Photographing, recording, broadcasting or transmitting the proceedings of a meeting may be permitted with the Chairman of the meeting's prior consent.
 - k 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.
 - l 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 his absence be done by, to or before the Vice-Chairman of the Council (if any).
 - m The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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.
 - n Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.
 - o 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 his casting vote whether or not he gave an original vote.
 - p Unless standing orders provide otherwise, voting on a question shall be by a show of hands. With the assent of at least three other Members of the Council, at the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
 - q 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 present and those who have offered apologies;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made
 - r A councillor 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 his right to participate and vote on that matter.
 - s 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.
 - t 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.
 - u A meeting shall only continue beyond 2 hours if the Committee resolves to continue at the time that 2 hours has elapsed.

4. Committees

- a 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 full 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 appoint and determine the terms of office of members of such a committee;
 - v. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vi. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - vii. shall determine the place, notice requirements and quorum for a meeting, which shall be no less than three;
 - viii. shall determine if the public may participate at a meeting of a committee;
 - ix. may dissolve a committee.
- b A schedule of Committees, other standing meetings, including terms of reference, shall be appended to the Standing Orders.

5. Ordinary council meetings

- a In an election year, the annual meeting of the council shall be held within 14 days following the day on which the new councillors elected take office. In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- b In addition to the annual meeting of the council, at least five other ordinary meetings shall be held in each year on such dates and times as the council directs.
- c The first business conducted at the annual meeting of the council shall be the election of the Mayor and Deputy Mayor.
The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council. The Deputy Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the council.
- d In an election year, if the current Mayor has not been re-elected as a member of the council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes. In an election year, if the current Mayor has been re-elected as a member of the council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- e Following the election of the Mayor and Deputy Mayor at the annual meeting of the council, the business of the annual meeting shall include:
 - i. In an election year, delivery by the Mayor 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 Mayor of his 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 meetings of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 4 above;

- vii. Review and adoption of appropriate standing orders and financial regulations;
- viii. Arrangements relating to the council's exercise the general power of competence;
- ix. Appointment of members to manage the council's banking arrangements

6. Extraordinary meetings of the council and committees

- a The Mayor may convene an extraordinary meeting of the council at any time.
- b If the Mayor does not or refuses to 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 must be signed by the two councillors.
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee any 2 members of the committee may convene an extraordinary meeting of a committee.

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

- a 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.

9. Motions for a meeting that require written notice to be given to the Proper Officer

- a A motion shall relate to the responsibilities of the meeting which it is tabled for 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.
- b 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 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda correctly received, correct obvious grammatical or typographical errors in the wording of the motion. If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 3 clear days before the meeting.
- d 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. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

- e Motions received shall be recorded in a book for that purpose and numbered in the order that they are received. Motions rejected shall be recorded with an explanation by the Proper Officer for their rejection.

10. Motions at a meeting that do not require written notice

- a 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 sensitive 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 requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

11. Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- c A matter personal to a member of staff that is being considered by a meeting of the Policy Committee or Council will be treated as confidential.

12. Draft minutes

- a 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.
- b 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 may be moved.
- c 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.

If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the (Committee) held on [date] in respect of (Minute) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations

a All councillors shall observe the code of conduct adopted by the council.

b Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

c Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

d 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.

e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

f 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.

g Subject to standing orders 13(d) and (f) above, dispensations requests 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.

h A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:

- 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 or

- 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.

14. **Code of conduct complaints**

- a Upon notification by the District Council that it is dealing with a complaint that a councillor has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor 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.
- c The council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d Upon notification by the District Council that a councillor has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

15. **Proper Officer**

- a The Proper Officer shall be either (i) the Town Clerk or (ii) the Deputy Town Clerk when the Town Clerk is absent.
- b The Proper Officer shall:
 - i. Serve a summons with an agenda for council, or an agenda for other meetings, by e-mail, delivery or post to councillors at least three clear days before a meeting
 - ii. give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
 - iii. include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming withdrawal of it;
 - iv. convene a meeting of full council for the election of a new Mayor, occasioned by a casual vacancy in his office;
 - v. facilitate inspection of the minute book by local government electors;
 - vi. receive and retain copies of byelaws made by other local authorities;
 - vii. retain acceptance of office forms from councillors;
 - viii. retain a copy of every councillor's register of interests;
 - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures ;
 - x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
 - xi. manage the organisation, storage of, access to and destruction of information held by the

- council in paper and electronic form;
- xii. arrange for legal deeds to be executed;
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority;
- xv. refer a planning application received by the council to the Chairman or in his absence Vice-Chairman of the Planning and Environment Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the committee;
- xvi. manage access to information about the council via the publication scheme;
- xvii. retain custody of the seal of the council which shall not be used without a resolution to that effect.

16. Responsible Financial Officer and Financial Regulations

- a The council shall appoint a Responsible Financial Officer, currently the Town Clerk.
- b The council shall appoint appropriate staff members to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- c 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 orders of payments; and
 - v. procurement policies including the setting of the procedures and values for the supply of goods, materials and services and the execution of works in line with statutory requirements and best practice

Financial regulations shall be reviewed annually for fitness of purpose.

17. Handling staff matters

- a The council will maintain and, from time to time, review policy documents to explain its staffing management arrangements, to include absence management and grievance policies, and will define the role of members in those policies.
- b The chairman and vice-chairman of the Policy committee shall conduct a review of the performance and annual appraisal of the work of the Town Clerk, recording the review in writing. The chairmen of the Policy committee and the Management committee shall conduct a review of the performance and annual appraisal of the work of the Deputy Town Clerk, recording the review in writing.
- c Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

dThe council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

eOnly persons with line management responsibilities shall have access to staff records.

18. Requests for information

a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

bCorrespondence from, and notices served by, the Information Commissioner shall be held by the Proper Officer, who shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

19. Relations with the press/media

a 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.

20. Execution and sealing of legal deeds

a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

bThe council's common seal shall alone be used for sealing a deed required by law, which shall be applied by the Proper Officer and signed by the Mayor or Deputy Mayor.

c This Standing Order shall not apply to the sealing of a grant of Exclusive Right of Burial to be signed by the Mayor or Deputy Mayor

21. Communicating with District and County or Unitary councillors

a The Proper Officer will make appropriate arrangements to facilitate the attendance of District and County Councillors at meetings of the council to provide information regarding the work of that council.

bWhere the district or county ward councillor is not a member of the Town council a copy of each letter sent to the District and County Council shall be sent to the district or county ward councillor representing the area of the council.

22. Restrictions on councillor activities

a Unless authorised by a resolution, no councillor shall inspect any land and/or premises which the council has a right or duty to inspect, or issue orders, instructions or directions.

23. Standing orders generally

a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

bA motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing orders.

c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

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

DORCHESTER TOWN COUNCIL

FINANCIAL REGULATIONS

These Financial Regulations were adopted by the Council at its Meeting held on 26 July 2016.

1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.
- 1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.
- 1.3. The council's accounting control systems must include measures:
 - for the timely production of accounts;
 - that provide for the safe and efficient safeguarding of public money;
 - to prevent and detect inaccuracy and fraud
 - that identify the duties of officers.
- 1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.
- 1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.
- 1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.
- 1.7. Members of Council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of councillor into disrepute.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the council. The Town Clerk has been appointed as RFO for this council and these regulations will apply accordingly.
- 1.9. The RFO;
 - acts under the policy direction of the council;
 - administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
 - determines on behalf of the council its accounting records and accounting control systems;
 - ensures the accounting control systems are observed;
 - maintains the accounting records of the council up to date in accordance with proper practices;
 - assists the council to secure economy, efficiency and effectiveness in the use of its resources
 - produces financial management information as required by the council.
- 1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

- 1.11. The accounting records determined by the RFO shall in particular contain:
- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
 - a record of the assets and liabilities of the council
 - a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.
- 1.12. The accounting control systems determined by the RFO shall include:
- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
 - procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
 - the identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
 - procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records
 - measures to ensure that risk is properly managed.
- 1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding the following shall be a matter for the full council only:
- setting the final budget or the precept (council tax requirement);
 - approving accounting statements;
 - approving an annual governance statement;
 - borrowing;
 - writing off bad debts;
 - declaring eligibility for the General Power of Competence; and
 - addressing recommendations in any report from the internal or external auditors
- 1.14. In addition the council must:
- determine and keep under regular review the bank mandate for all council bank accounts;
 - approve any grant or a single commitment in excess of the approved budget and also in excess of £25,000; and
 - in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.
- 1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.
- 1.16. In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in *Governance and Accountability for Local Councils - a Practitioners' Guide (England)* issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. ACCOUNTING AND AUDIT (INTERNAL AND EXTERNAL)

- 2.1. 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.
- 2.2. On a regular basis, at least once in each quarter, and at each financial year end, the RFO shall verify bank reconciliations (for all accounts) produced, signing the reconciliations as evidence of verification.
- 2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.
- 2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.
- 2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.
- 2.6. The internal auditor shall:
 - be competent and independent of the financial operations of the council;
 - report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
 - to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
 - have no involvement in the financial decision making, management or control of the council.
- 2.7. Internal or external auditors may not under any circumstances:
 - perform any operational duties for the council;
 - initiate or approve accounting transactions; or
 - direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.
- 2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.
- 2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.
- 2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. ANNUAL ESTIMATES (BUDGET) AND FORWARD PLANNING

- 3.1. The Policy Committee shall review the Council's three year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of January each year including any proposals for revising the forecast.

- 3.2. The RFO must each year, by no later than January, prepare detailed estimates of all receipts and payments including the use of reserves and all sources of funding for the following financial year in the form of a budget to be considered by the Policy Committee and the council.
- 3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.
- 3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.
- 3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. BUDGETARY CONTROL AND AUTHORITY TO SPEND

- 4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by the Clerk.
- 4.2. Contracts may not be disaggregated to avoid controls imposed by these regulations.
- 4.3. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the Policy Committee. During the budget year and with the approval of Policy Committee having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').
- 4.4. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.
- 4.5. The salary budgets are to be reviewed at least annually in December for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of the Policy Committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.
- 4.6. In cases of extreme risk to the delivery of council services, the clerk may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £2,000. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.
- 4.7. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.
- 4.8. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.
- 4.9. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £5,000.

4.10. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.

5. INSTRUCTIONS FOR THE MAKING OF PAYMENTS, BANKING ARRANGEMENTS AND AUTHORISATION OF PAYMENTS

5.1. The council will make safe and efficient arrangements for the making of its payments. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency.

5.2. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading and shall take all steps to pay all invoices submitted in a timely manner.

5.3. The CRFO shall submit the invoices for consideration by two members of council who have been appointed by the council to manage the council's bank mandate. All instructions for payments drawn on the bank account, except for the payment of salaries, will be signed by two members of Council. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

5.4. Payment instructions to be signed by Members include instructions to use BACs, cheque payments, credit card, fixed and variable direct debit mandates. Following instruction by two members of Council the RFO shall arrange for a payment to be made.

5.5. Wherever possible non-automated payments shall be effected by BACs. The Council shall operate a dual-authentication banking computer system, with the Town Clerk and Deputy Town Clerk using a personal identification number (PIN) or other passwords to access the Council's records on that system. They shall not 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 Policy Committee. The Clerk [RFO] shall be appointed as the Service Administrator for the internet banking system.

5.6. New bank account details and amendments to account details for suppliers that are used for internet banking may only be changed on the authority of the Clerk, who will sign any changes. A programme of regular checks of standing data with suppliers will be followed.

5.7. Payment may be made by fixed or variable direct debit, provided the initial mandate is signed by two members of Council.

5.8. Payment for Salaries may be made from the Council's Bank account by the Council's Payroll agent by BACs, provided that the instructions are signed by the RFO or the Deputy Town Clerk and any payments are reported to council as made.

5.9. A Credit Card will be issued to the Town Clerk and shall be subject to automatic payment in full at each month-end. Transactions will be restricted to a single transaction maximum value of £750 and a total limit of £1,500. The statement will be signed by two members and all transactions shall be reported to the Policy Committee.

5.10. The council will not maintain a standing cash float, but cash received by the Council may be used for petty cash purposes. On provision of a receipt the Town Clerk may provide petty cash to officers for the purpose of defraying operational and other expenses. All petty cash payments shall be reported to the Policy Committee.

- 5.11. The RFO shall prepare a schedule of all payments that have been made in accordance with the approved revenue budget and have been signed by the two members of Council. The schedule will form part of the Agenda for the Meeting of each Policy Committee together with the relevant invoices. The Policy Committee shall review the schedule for compliance and, having satisfied itself shall authorise the payments made.
- 5.12. Members are subject to the Code of Conduct that has been adopted by the council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable pecuniary or other interest, unless a dispensation has been granted.
- 5.13. The council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

6. PAYMENT OF SALARIES

- 6.1. As an employer, the council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salary rates shall be as agreed by the Policy Committee.
- 6.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts.
- 6.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Policy Committee.
- 6.4. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in the Payroll system, which is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:
- by any councillor who can demonstrate a need to know;
 - by the internal auditor;
 - by the external auditor; or
 - by any person authorised under Audit Commission Act 1998, or any superseding legislation.
- 6.5. The total of payroll payments in each calendar month shall be reported as part of the schedule presented by the RFO to each Policy Committee.
- 6.6. An effective system of personal performance management should be maintained for the senior officers.
- 6.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.
- 6.8. Before employing interim staff the council must consider a full business case.

7. LOANS AND INVESTMENTS

- 7.1. The RFO will produce a Treasury Strategy for all loan and investment activity which shall be in accordance with relevant regulations, proper practices and guidance and is to be reviewed and adopted by Council each May.

- 7.2. All borrowings shall be effected in accordance with the Strategy and will be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full council.
- 7.3. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided in respect of value for money for the proposed transaction.
- 7.4. All loans and investments shall be negotiated in the name of the council and shall be made in accordance with the Strategy. All investments of money under the control of the council shall be in the name of the council.
- 7.5. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.
- 7.6. Payments in respect of short term or long term investments shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

8. INCOME

- 8.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.
- 8.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the council.
- 8.3. The council will review all fees and charges at least annually, following a report of the Clerk.
- 8.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.
- 8.5. All sums received on behalf of the council shall be banked as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary.
- 8.6. The origin of each cash and cheque receipt shall be entered on paying-in sheets.
- 8.7. Personal cheques shall not be cashed out of money held on behalf of the council.
- 8.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 8.9. Where any sums of cash exceeding £500 are received by the council, the RFO shall ensure that more than one person is present when the cash is counted and that there is a reconciliation to some form of control and that appropriate care is taken in the security and safety of individuals banking such cash.

9. ORDERS FOR WORK, GOODS AND SERVICES

- 9.1. An order number shall be issued for all work, goods and services unless a formal contract is to be prepared or an order number would be inappropriate. A list of orders shall be retained on order sheets to be controlled by the RFO.

- 9.2. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 below.
- 9.3. A member may not issue an official order or make any contract on behalf of the council.
- 9.4. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order and in the case of purchases or payments for new services the RFO shall ensure that the statutory power used shall be reported to the meeting at which the budget in relation to the order is approved.

10. CONTRACTS

- 10.1. Procedures as to contracts are laid down as follows.
- 10.2. Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to the items below:
- for the supply of gas, electricity, water, sewerage and telephone services;
 - for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants;
 - for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
 - for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council
 - for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Clerk and RFO shall act after consultation with the Chairman and Vice Chairman of council); and
 - for goods or materials proposed to be purchased which are proprietary articles or are only sold at a fixed price.
- 10.3. Where the council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 (“the Regulations”) which is valued at £25,000 or more, the council shall comply with the relevant requirements of the Regulations.
- 10.4. The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time).
- 10.5. When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- 10.6. All invitations to tender shall state the general nature of the intended contract and the Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be marked and addressed to the Clerk in the ordinary course of post. The tender is to remain unopened until the prescribed date for opening tenders for that contract. All tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one other member of staff.

10.7. Any invitation to tender issued under this regulation shall be subject to Standing Orders[], i [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.

10.8. When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph 10.2 the Clerk shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £2,000 the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 9

10.9. .2 above shall apply.

10.10. The council shall not be obliged to accept the lowest or any tender, quote or estimate.

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

11. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS (PUBLIC WORKS CONTRACTS)

11.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

11.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

11.3. Any variation to a contract or addition to or omission from a contract must be approved by the council and Clerk to the contractor in writing, the council being informed where the final cost is likely to exceed the financial provision.

12. STORES AND EQUIPMENT

12.1. The Outdoor Services Manager shall be responsible for the care and custody of stores and equipment.

12.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.

12.3. Stocks shall be kept at the minimum levels consistent with operational requirements.

12.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.

13. ASSETS, PROPERTIES AND ESTATES

13.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

- 13.2. No tangible moveable property shall be purchased or otherwise acquired, 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 £2,000.
- 13.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).
- 13.5. Subject only to the limit set in Regulation 13.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.
- 13.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

14. INSURANCE

- 14.1. Following the annual risk assessment (per Regulation 15), the RFO shall effect all insurances and negotiate all claims on the council's insurers.
- 14.2. The RFO shall give identify all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances and shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.
- 14.3. The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim, and shall report these to council at the next available meeting.
- 14.4. All appropriate members and employees of the council shall be included in a suitable form of security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Policy Committee.

15. RISK MANAGEMENT

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

16. SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 16.1. It shall be the duty of the council to review the Financial Regulations of the council from time to time. The Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

The council may, by resolution, duly notified prior to the relevant meeting of council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.
