Pailton Parish Council **– Governance Framework and Policies**

There are several key documents that set the parameters for how the Council operates – all of which are in keeping with the legislation for Parish Councils and the principles of the Good Councillors Guide.

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| Page Number | Contents | PC and Chairman’s approval | Status |
| 3 | Standing Orders – based on the model code issued by National Association of Local Council (NALC) in 2020, this sets out the conduct of Council meetings | Approved June 2023 | Next review May 2024 |
| 22 | Financial Regulations – based on the model code issued by NALC in 2019 and updated for the complex provision of the Save the White Lion Project. | Approved June 2023 | Next review May 2024 |
| 35 | Reserves Policy | Approved June 2023 | Next review May 2024 |
| 39 | *New* Communications, Social Media and GPDR - | Approved June 2023 | Next review May 2024 |
| 44 | ICT Resilience | Approved June 2023 | Next review May 2023 |
| 46 | Risk Assessment | Approved June 2023 | Next review May 2024 |
| 49 | Health & Safety | Approved June 2023 | Next review May 2024 |
| 53 | Complaints Policy | Approved June 2023 | Next review May 2024 |
| 56 | Charitable Donations | Approved Feb 2023 | Next review May 2024 |
| 59 | Equal opportunities – |  | Approved July 2023 – Next review May 2024 |
| Under Development | | | |
|  | Environment Policy |  | To be considered during 2023/23 |
|  | Code of Conduct. New councillors this year have signed up to the new version produced by Rugby BC – it may well be revised in the lead up to 2024 elections |  | Reconsider in May 2024 |

**PAILTON PARISH COUNCIL -   
STANDING ORDERS 2023. Updated June 2023**

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

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

Model standing orders that are in bold type contain legal and statutory requirements and should not be changed

**This policy will next be reviewed in May 2024**

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# **Rules of debate at meetings**

1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
3. A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
4. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
5. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
6. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
7. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
8. 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.
9. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
10. Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
11. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
12. A councillor may not move more than one amendment to an original or substantive motion.
13. The mover of an amendment has no right of reply at the end of debate on it.
14. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
15. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
16. to speak on an amendment moved by another councillor;
17. to move or speak on another amendment if the motion has been amended since they last spoke;
18. to make a point of order;
19. to give a personal explanation; or
20. to exercise a right of reply.
21. During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
22. A point of order shall be decided by the chairman of the meeting and his decision shall be final.
23. When a motion is under debate, no other motion shall be moved except:
24. to amend the motion;
25. to proceed to the next business;
26. to adjourn the debate;
27. to put the motion to a vote;
28. to ask a person to be no longer heard or to leave the meeting;
29. to refer a motion to a committee or sub-committee for consideration;
30. to exclude the public and press;
31. to adjourn t meeting; or
32. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
33. 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.
34. Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the chairman of the meeting.

# **Disorderly conduct at meetings**

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. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
3. If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

# **Full Council Meetings**

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|  | 1. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.** |
|  | 1. **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.** |
|  | 1. **The minimum three clear days’ public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** |
|  | 1. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public’s exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public’s exclusion.** |
|  | 1. 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. |
|  | 1. The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed three minutes unless directed by the chairman of the meeting. |
|  | 1. Subject to standing order 3(f), a member of the public shall not speak for more than three minutes. |
|  | 1. In accordance with standing order 3(e), 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. |
|  | 1. A person shall raise his hand when requesting to speak. |
|  | 1. A person who speaks at a meeting shall direct his comments to the chairman of the meeting. |
|  | 1. 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. |
|  | 1. **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.** |
|  | 1. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.** |
|  | 1. **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.** |
|  | 1. **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 there is one).** |
|  | 1. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.** |
|  | 1. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors.** |
|  | 1. **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**   *See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.* |
|  | 1. **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. 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. |
|  | 1. The minutes of a meeting shall include an accurate record of the following: 2. the time and place of the meeting; 3. the names of councillors who are present and the names of councillors who are absent; 4. interests that have been declared by councillors. 5. the grant of dispensations (if any) to councillors 6. whether a councillor left the meeting when matters that they held interests in were being considered; 7. if there was a public participation session; and 8. the resolutions made. |
|  | 1. **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 their right to participate and vote on that matter.** |
|  | 1. **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.** |
|  | 1. **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. |
|  | 1. The Chairman may at their discretion allow a non councillor representing a working group to contribute toward debates where he or she has significant experience of the subject – however voting rights remain soley with parish councillors, although councillors must give due considerations to any points made on behalf of a working group. 2. A meeting shall not exceed a period of three hours. |

# **Annual Council Meetings**

1. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
2. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
3. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
4. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
5. **The Chairman of the Council, unless they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
6. **The Vice-Chairman of the Council, if there is one, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
7. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
8. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
9. Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
   * 1. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**
     2. Confirmation of the accuracy of the minutes of the last meeting of the Council;
     3. Receipt of the minutes of the last meeting of a working group;
     4. Consideration of the recommendations made by a working group;
     5. Review of the terms of reference for working group;
     6. Appointment of members to existing working groups;
     7. Review and adoption of appropriate standing orders and financial regulations;
     8. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
     9. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
     10. Review of inventory of land and other assets including buildings and office equipment;
     11. Confirmation of arrangements for insurance cover in respect of all insurable risks;
     12. Review of the Council’s and/or staff subscriptions to other bodies;
     13. Review of the Council’s complaints procedure;
     14. Review of the Council’s policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
     15. Review of the Council’s policy for dealing with the press/media;
     16. Review of the Council’s employment policies and procedures;
     17. Review of the Council’s expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
     18. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

# **Extraordinary meetings of the council**

1. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
2. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

# **Previous resolutions**

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

# **Motions for a meeting that require written notice to be given to the proper officer**

1. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council’s statutory functions, powers and obligations or an issue which specifically affects the Council’s area or its residents.
2. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least three clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
4. If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least three clear days before the meeting.
5. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
6. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
7. Motions received shall be recorded and numbered in the order that they are received.
8. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

# **Motions at a meeting that do not require written notice**

1. The following motions may be moved at a meeting without written notice to the Proper Officer:
   1. to correct an inaccuracy in the draft minutes of a meeting;
   2. to move to a vote;
   3. to defer consideration of a motion;
   4. to refer a motion to a particular committee or sub-committee;
   5. to appoint a person to preside at a meeting;
   6. to change the order of business on the agenda;
   7. to proceed to the next business on the agenda;
   8. to require a written report;
   9. to extend the time limits for speaking;
   10. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
   11. to not hear further from a councillor or a member of the public;
   12. to exclude a councillor or member of the public for disorderly conduct;
   13. to temporarily suspend the meeting;
   14. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
   15. to adjourn the meeting; or
   16. to close the meeting.

# **Management of information**

See also standing order 20.

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

# **Draft minutes for Full Council meetings**

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|  | 1. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read. |
|  | 1. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 8 (a)(i). |
|  | 1. 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. |
|  | 1. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:   “The chairman of this meeting does not believe that the minutes of the meeting of the Council held on [date] in respect of ( insert subject) were a correct record but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.” |
|  | 1. **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.** |
|  | 1. Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following 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. |

# **Code of conduct and dispensations**

See also standing order 3(u).

1. All councillors shall observe the code of conduct adopted by Rugby Borough Council and signed by all councillors on their election or co-option to the Council. Breach of the code of conduct by a councillor will be treated as a serious misbehaviour (12.d).
2. The Council will adopt the National Association of Local Council’s Civility and Respect Pledge in respect of conduct both at meetings and on all matters relating to the Council. Training to facilitate appropriate behaviours will be made available through Warwickshire and West Midlands Association of Local Councils.
3. Unless the councillor has been granted a dispensation, they shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which the councillor had the interest.
4. Unless granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which the councillor has another interest if so required by the Council’s code of conduct. They may return to the meeting after it has considered the matter in which the councillor had the interest.
5. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
6. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
7. A dispensation request shall confirm:
   * 1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
     2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
     3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
     4. an explanation as to why the dispensation is sought.
8. Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
9. **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
   1. **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;**
   2. **granting the dispensation is in the interests of persons living in the Council’s area; or**
   3. **it is otherwise appropriate to grant a dispensation.**

# **Code of conduct complaints**

1. Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council’s code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
2. Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
3. The Council may:
   1. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
   2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
4. **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,** but a verbal account of the breach and formal reprimand will appear in the next minutes**.**

# **Proper officer**

1. The Proper Officer shall be the clerk and shall.
   1. **at least three clear days before a meeting of the council, a committee** or a sub-committee**,**

* **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
* **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  1. To receive Council documents, including agenda and minutes, councillors must agree to use Pailton Parish Council email protocol – as notified by the clerk. Failure to use the correct email will mean that the councillor cannot receive emails from the clerk/proper officer or other councillors. In this instance the councillor must make arrangements with the clerk/proper officer to collect council papers.
  2. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least two days before the meeting confirming his withdrawal of it;
  3. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
  4. **facilitate inspection of the minute book by local government electors;**
  5. **receive and retain copies of byelaws made by other local authorities;**
  6. hold acceptance of office forms from councillors;
  7. hold a copy of every councillor’s register of interests;
  8. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council’s relevant policies and procedures;
  9. liaise, as appropriate, with Rugby Borough Council’s Data Protection Officer;
  10. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
  11. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
  12. arrange for legal deeds to be executed;

(*see also standing order 23);*

* 1. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
  2. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
  3. manage access to information about the Council via the publication scheme; and

# **Responsible financial officer**

1. The Council shall appointan appropriate staff member to undertake the work of the Responsible financial officer – this will normally be the clerk.

# **Accounts and accounting statements**

1. “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
3. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
   * 1. the Council’s receipts and payments (or income and expenditure) for each quarter;
     2. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
     3. the balances held at the end of the quarter being reported and

which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

1. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
   * 1. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
     2. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
2. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

# **Financial controls and procurement**

1. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
2. the keeping of accounting records and systems of internal controls;
3. the assessment and management of financial risks faced by the Council;
4. 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 annually;
5. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments; and
6. whether contracts with an estimated value below **£5,000** due to special circumstances are exempt from a tendering process or procurement exercise.
7. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
8. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
9. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
10. a specification for the goods, materials, services or the execution of works shall be drawn up;
11. an invitation to tender shall be drawn up to confirm (i) the Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council’s written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
12. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
13. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
14. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
15. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
16. The Council is not bound to accept the lowest value tender.

# **Handling staff matters**

1. A matter personal to a member of staff that is being considered by a meeting of Council or is subject to standing order 11.
2. The chairman of Council shall upon a resolution conduct a review of the performance and annual appraisal of the work of the clerk. This can be shared with in private with other councillors.
3. Subject to the Council’s policy regarding the handling of grievance matters, the Council’s clerk shall report any formal or informal grievance to the Chairman. If an informal or formal grievance matter raised by the clerk relates to the chairman then it should be reported to the vice chairman.
4. The Chairman is responsible for all or part of the management of staff and shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

# **Responsibilities to provide information**

See also standing order 21.

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.**

**Dependent upon its annual turnover, the Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015 or the Local Government (Transparency Requirements) (England) Regulations 2015**.

# **Responsibilities under data protection legislation**

Below is not an exclusive list. See also standing order 11.

1. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
2. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
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.**
4. **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
5. **The Council shall maintain a written record of its processing activities.**

# **Relations with the press/media**

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

# **Execution and sealing of legal deeds**

1. Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

# **Communicating with district and county or unitary councillors**

1. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.

# **Restrictions on councillor activities**

* 1. Unless duly authorised no councillor shall:

1. inspect any land and/or premises which the Council has a right or duty to inspect; or
2. issue orders, instructions or directions.

# **Standing orders generally**

1. All or part of a standing order, except those that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
2. A motion to add to or vary or revoke one or more of the Council’s standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 9.
3. The Proper Officer shall provide a copy of the Council’s standing orders to a new councillor as soon as possible.
4. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final

These standard orders were approved on 12 June 2023.

The next review of the Standing Orders will be in May 2024.

**PAILTON PARISH COUNCILL - FINANCIAL REGULATIONS –**

**REVIEWED MAY 2023.**

BASED ON NATIONAL ASSOCIATION OF LOCAL COUNCIL (NALC) 2019 MODEL FOR ENGLAND –

1. General

2. Accounting and audit (internal and external)

3. Annual estimates (budget) and forward planning

4. Budgetary control and authority to spend

5. Banking arrangements and authorisation of payments

6. Instructions for the making of payments

7. Payment of salaries

8. Loans and investments

9. Income

10. Orders for work, goods and services

11. Contracts

12. Payments under contracts for building or other construction works

13. Assets, properties and estates

14. Insurance

15. Charities

16. Risk management

17. Suspension and revision of Financial Regulations

These Financial Regulations were first discussed at by the council at its meeting held on 27 February 2023 and approved on 12 June 2023. The next formal review will be in May 2024 – but the regulations should be reviewed at each stage of the White Lion Project.

**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[[1]](#footnote-1) 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; and
* identifying 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 Clerk has been appointed as RFO for Pailton Parish 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; and
* 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; and
* wherever relevant, 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;
* 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; and
* 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:

* 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, shall be a matter for the full council only.

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 £500; and
* in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the National Association of Local Councils.

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.

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, a member other than the Chairman shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the council.

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
* has 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 RFO must each year, by no later than the December meeting of the Council 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 council.

3.2 As far as it possible the White Lion Working Group or Pailton Village Community Interest Company shall provide an estimate of its forecast to the Council in time for inclusion in the budget process. Figures provided will be accepted as indicative until such time as the Save the White Lion process is complete.

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 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 council for all items over £100
* the Clerk, in conjunction with Chairman of Council for any items below £100

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the Chairman.

Contracts may not be disaggregated to avoid controls imposed by these regulations.

4.2. 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 council. During the budget year and with the approval of council having considered fully the implications for public services, unspent and available amounts may be moved to an earmarked reserves as appropriate.

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year. However unspent provision for the White Lion may be rolled forward until such time as the project moves to a fully operational basis and the Public Works Loan fully repaid.

4.4. The salary budget should be reviewed at least annually in line with NALC’s announcement on Annual Pay Settlements for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council.

4.5. 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 £500. The Clerk shall report such action to the chairman as soon as possible and to the council as soon as practicable thereafter.

4.6. 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.

4.6a. More specifically any spending on behalf of the White Lion Working Group, or Pailton Village Community Interest Company must be identified as part of its cash flow process and approved by full Council before any payment can be made.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts and more specifically any work related to the White Lion, during its development and construction phase must be approved by Council before payment can be made.

4.8. The RFO shall at each meeting 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 £100 or 15% of the budget.

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

**5. Banking arrangements and authorisation of payments**

5.1. The council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the council. They shall be regularly reviewed for safety and efficiency.

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council. The council shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the council. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. 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.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available council meeting.

5.5. The Clerk/RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of council, where the Clerk and RFO certify that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of council;

b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of council; or

c) fund transfers within the councils banking arrangements up to the sum of £10,000, or £150,000 in respect of the White Lion provided that a list of such payments shall be submitted to the next appropriate meeting of council.

5.6. For each financial year the Clerk and RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which council may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of council.

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. Any Revenue or Capital Grant in excess of £500 shall before payment, be subject to ratification by resolution of the council.

5.9. 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.

5.10. 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. Instructions for the making of payments**

6.1. The council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the council shall give instruction that a payment shall be made.

6.3. All payments shall be affected by bank transfer or other instructions to the council's bankers, or otherwise, in accordance with a resolution of council.

6.4. In most circumstances council payment for goods and services will be made by internet banking transfer, provided evidence is retained showing which members approved the payment.

6.5. The RFO will at all times use the security card reader to make authorised payments.

6.6. No employee or councillor shall disclose any PIN or password, relevant to the working of the council or its bank accounts, to any person not authorised in writing by the council or a duly delegated committee.

6.7. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

6.8. The council shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.9. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator. The bank mandate approved by the council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.10. Access to any internet banking accounts will be directly to the access page (which may be saved under “favourites”), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.11. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the RFO. A programme of regular checks of standing data with suppliers will be followed.

6.12. The council will not maintain any form of cash float. All cash received must be banked intact. Any payments made in cash by the Clerk (for example for postage or minor stationery items) shall be refunded on a regular basis, at least quarterly.

**7. Payment of salaries**

7.1. 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 council, or duly delegated committee.

7.2. 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, provided that each payment is reported to the next available council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee’s pay, emoluments, or terms and conditions of employment without the prior consent of the council.

7.4. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

7.5. An effective system of personal performance management should be maintained for the clerk/responsible financial officer.

7.7. Any termination payments shall be supported by a clear business case and reported to the council. Termination payments shall only be authorised by council.

7.8. Before employing interim staff, the council must consider a full business case.

**8. Loans and investments**

8.1. All borrowings shall be affected 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. This requirement will remain in force until such time as the White Lion is fully operational.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy. This requirement will remain in force until such time as the White Lion is fully operational.

8.4. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

**9. Income**

9.1. The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO.

9.2. 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.

9.3. The council will review all fees and charges at least annually, following a report of the Clerk.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the council and shall be written off in the year.

9.5. All sums received on behalf of the council shall be banked intact 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.

9.6. The origin of each receipt shall be entered on the paying-in slip.

9.7. Personal cheques shall not be cashed out of money held on behalf of the council.

9.8. 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.

9.9. Where any significant sums of cash are regularly received by the council, the RFO shall take such steps as are agreed by the council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

9.10. In respect of the White Lion, all income, whether from grants, loans or social fund raising will be paid into the council’s bank account and be used exclusively in the development and construction phases of the White Lion. Once the Pailton Village Community Interest Company is operational – this requirement may be varied but it cannot be discharged until such time as the loan made to the Parish Council in respect of the Save the White lion is repaid in full.

**10. Orders for work, goods and services**

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained. This requirement will remain in force until such time as the White Lion is fully operational.

10.2. Order books shall be controlled by the RFO.

10.3. 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 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the council.

10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

**11. Contracts**

11.1. Procedures as to contracts are laid down as follows:

a) 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 items (i) to (vi) below:

i. for the supply of gas, electricity, water, sewerage and telephone services;

ii. for specialist services such as are provided by legal professionals acting in disputes;

iii. 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;

iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council;

v. 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

vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price

vii. for any contracts related to the development and construction phase of the White Lion.

b) 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[[2]](#footnote-2).

c) 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)[[3]](#footnote-3).

d) 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.

e) Such invitation 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 addressed to the Clerk or in case of the White Lion project the White Lion Working Group or Council appointed Project Manager. The deadline and time for response must be specified on all tender advertisements.

g) Any invitation to tender issued under this regulation shall be subject to council’s Standing Orders.

h) 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 (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below [£3,000] and above [£100] the Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

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

j) Should it occur that the council, 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.  
  
k) Where a contract in respect of the White Lion, the council fails to meet these requirements but the process is deemed acceptable the National Lottery Heritage Fund, the council will act in line with views of the National Lottery Heritage Fund.

**12. Payments under contracts for building or other construction works in relation to the White Lion**

12.1. 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).

12.2. 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.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the council. Permission to vary a contract must be submitted in the first instance to the Clerk/RFP by White Lion Working or Pailton Village Community Interest Company or by the appointed Project Manager in writing, the council being informed where the final cost is likely to exceed the financial provision.

**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 £250.

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 b, 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.

13.7. Pailton Parish Council shall remain the beneficial owner of the White Lion.

**14. Insurance**

14.1. Following the annual risk assessment (per Regulation 17), the RFO shall effect all insurances and negotiate all claims on the council's insurers.

14.2. The RFO 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 annually by the council, or duly delegated committee.

**15. Charities**

15.1. Where the council is sole managing trustee of a charitable body the Clerk and RFO shall ensure that separate accounts are kept of the funds held on charitable trusts and separate financial reports made in such form as shall be appropriate, in accordance with Charity Law and legislation, or as determined by the Charity Commission. The Clerk and RFO shall arrange for any audit or independent examination as may be required by Charity Law or any Governing Document.

**16. Risk management**

16.1. 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. As at 2023, the Council has no responsibilities in this regard nor has any plans to assume such responsibilities

16.2. When considering any new activity, the Clerk shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the council.

**17. Suspension and revision of Financial Regulations**

17.1. 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.

17.2. The council may, by resolution of the council 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.

17.3. These regulations must be reviewed at the start and conclusion of each phase of the White Lion Project to ensure they are remain competent and ensure financial protection for Pailton Parish Council and Pailton Village Community Interest Company.

Ends

**Pailton Parish Council – June 2023**

**Policy and Procedures for Managing the Parish Council’s Reserves**

**Introduction**

**Pailton Parish Council is required to maintain adequate Financial Reserves to meet the needs of its operations and to ensure financial security. The purpose of this policy is to set out how the Council will determine and review the level of reserves.**

The Joint Panel on Accountability and Governance Practitioners Guide (JPAG) (March 2020 edition) advises:  
*“As with any financial entity, it is essential that authorities have sufficient reserves (General and Earmarked) to finance both its day-to-day operations and future plans. It is important, however, given that its funds are generated from taxation/public levies, that such reserves are not excessive.”*

Sections 32 and 43 of the Local Government Finance Act 1992 require local authorities to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. However, there is no specific minimum level of reserves which an authority should hold, and it is the responsibility of the Responsible Financial Officer to advise the Parish Council about the level of reserves and to ensure that there are procedures for their establishment and use.

**This policy will be reviewed in May 2024**

1. **Types of Reserves**

**These may be categorised as either General or Specific.**

2.1 **General Reserves**General Reserves are funds which do not have any restrictions on their use. They cushion the impact of uneven cash flows, offset budget requirements, if necessary, or can be held in case of unexpected events or emergencies. Setting the level of General Reserves is agreed with the Annual Budget – which will be usually be in December.

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JPAG (March 2020 edition) advises:

*“The generally accepted recommendation with regard to the appropriate minimum level of a Smaller Authority’s General Reserve is that this should be maintained at between three (3) and twelve (12) months Net Revenue Expenditure (NRE).”*

*“****The smaller the authority, the closer the figure should be to 12 months NRE****, (this is the relevant level for Pailton Parish Council) the larger the authority the nearer to 3 months. In practice, any authority with an NRE in excess of £200,000 should plan on 3 months equivalent.”*

The primary means of building General Reserves will be through a reallocation of funds (underspend on a completed project) and allocation from the annual budget. This will be in addition to any amounts needed to replenish reserves which have been spent in the previous year. If in extreme circumstances General Reserves were exhausted due to major unforeseen spending pressures within a particular financial year, the Parish Council would be able to draw down from its EMRs to provide short term resources.

2.2 **Earmarked Reserves** ‘**EMR’s**The Parish Council’s commitment to the White Lion Project means that the majority of our EMRs have arisen through a loan from the Public Works Board and grants from National Lottery Heritage Fund and similar bodies. In addition, the White Lion Working Group has initiated community fund raising projects specifically to contribute to the White Lion. These monies must be held for genuine and intended purposes and their level should be subject to annual review and justification. They should be separately identified to enable visibility from internal and external auditors.

In addition, EMRs are held for other village/parish functions or services, such as:

Renewals – to enable the planning and financing of an effective program of equipment replacement and property maintenance/refurbishment. The funds required are built up incrementally over several years when taking into account asset conditions and asset life. They are a mechanism to smooth expenditure without the need to vary budgets.

* An example of this would be the replacement fund for streetlamps and posts
* Other Earmarked Reserves –may be set up from time to time to meet known or predicted liabilities.

Where the purpose of an Earmarked Reserve becomes obsolete, or where there is an over-provision of funds, the excess may, on the approval of the Parish Council, be transferred to other budget headings within the revenue budget, to General Reserves or to one or more other Earmarked Reserves.

EMRs will be established on a “needs” basis in line with anticipated requirements and these are to be reviewed annually when the budget is agreed.

Any decision to set up an EMR must be approved by Parish Council. If the EMRs are used to meet short term funding gaps, they must be replenished in the following financial year. However, EMRs which have been used to meet a specific liability would not need to be replenished, after having served the purpose for which they were originally set up.

**3. Management and Control of Reserves**

Movements in Earmarked Reserves and General Reserves shall be reported to the Parish Council as part of the Clerk’s Report at each meeting of the Parish Council. The use of Reserves shall be approved by the Parish Council.

The level of General Reserves shall be reviewed on an annual basis during the annual budgetary review and agreed by the Parish Council. The minimum level of General Reserves shall be recommended to the Parish Council by the Responsible Financial Officer. This will form part of the recommendations for the Annual Budget and Precept request by the Parish Council.

The current level of General Reserves to be held by the Council is set at equal to twelve months of predicted expenditure.

Funds held by the Parish Council for use on the White Lion Project should not be used for any other purpose and are considered earmarked reserves for the project.

Earmarked Reserves shall be reviewed on an individual basis and at various stages of the work on the White Lion Project.. This review will also be undertaken as part of the Annual Budgetary Review. Approval for the creation, amendment, cessation or continuation of Earmarked Reserves will be given by the Parish Council.

Approved 12 June 2023

**Pailton Parish Council**

**Communications, Social Media and GPDR - June 2023.**

1. This policy provides a framework for how the Parish Council will communicate with residents and other parties interested in living or providing business services to the Pailton Parish community.
2. The guiding principles of the policy are that ALL communications, whether in traditional print format or through use of electronic media, such as websites or social media fees will be:
   * 1. Timely - information will be made public as soon as possible to inform decisions or to share decisions made by the parish council
     2. Accurate – care will be taken to ensure all information is correct
     3. Positive – the Parish Council will only embark on positive communications and care will be taken to ensure that any communication channels used do not become a vehicle for anonymous ‘complaints’ or personal criticisms.
     4. Two-way – the Parish Council will seek views from residents on new initiatives (such as village improvement projects) and other aspects of life in the village.
     5. Respectful – care will be taken not to breach residents privacy and that ensure Data Protection regulations are maintained.
     6. Councillors must act at all times in line with their Code of Conduct.
3. The principal channels for communications are:
   1. Information on notice boards – the Parish Council recognises that not all residents have access to the website and so it will continue to place information on forthcoming meetings and other news on the village notice boards.
   2. The village website www.pailtonparishcouncil.org.uk
   3. Facebook sites – such as the Pailton Village community pages – set up by a resident. The clerk will provide useful information to this Facebook page – in addition the White Lion Working Group has a facebook account, specifically for news on this project.
   4. In the future consideration may be given to a Twitter feed but to ensure the guiding principles set out in point 2 above – the account would need to be carefully moderated.
   5. Face to face – through meetings of the Parish Council and discussion with individual parish councillors. All residents are welcome to attend any meeting of the parish council to raise concerns and listen to discussions. Residents are able to stay for the whole meeting (usually 1.5 hours) or leave once they have raised concerns. There is an item on each agenda to give residents the opportunity to talk to the parish council.  
        
      Parish councillors have a specific role to listen to the views and concerns of residents in the village and to pass these on the the Parish Council. See point 5 for specific guidance.
   6. Clerk – the clerk is the general contact for information on parish matters and will direct residents (or act on their behalf) to ensure that appropriate action when possible is taken.
   7. Village matters newsletter – from time to time the parish council may publish a newsletter to inform residents of specific events – or to seek input to proposed changes to village life.
   8. Round the Revel – each issue contains a page of village information on the village, including the date of the next parish meeting and any new initiatives.
   9. Letters and emails to the parish council will be acknowledged within three working days, although a final response may not be possible if an issue raised has be discussed at a parish council meeting.
   10. Letters or emails from parishioners wishing to have matters raised at the next Parish council meeting must be received within three working days of that meeting, otherwise the matter may legitimately be placed on the agenda for the following meeting.
4. Transparency code and Parish Council regulations

The government requires local authorities to make public key information, which in summary includes (see appendix 1 for more detailed information on Pailton’s approach to this.)

* 1. Publication of an agenda at least 3 working days before each parish council meeting – *this is always displayed on the village’s four notice boards and on the Council’s website*
  2. Publication of all expenditure each month above £500 – *this is met by inclusion of all expenditure on the agenda and the minutes of the parish council meetings.*
  3. Rights to exercise rights to inspect annual accounts – *once the annual external audit begins residents have the right to inspect all the financial papers and raise any concerns they have with the Auditor. The notice on the rights to inspect are displayed on the village noticeboards and on the village website. The exercise of right period runs for 30 working days. As the information may have to be made available at the clerk’s own residence reasonable notice will be required – this will generally be 3 working days but in the event of annual leave may increase to 10 working days.*
  4. Publication of parish council minutes – *the minutes from each meeting will be published in draft format in the village website within two weeks of each meeting. Minutes are approved at the next meeting of the parish council.*

1. Code of conduct – for all councillors when using social media (including email) and we hope this will provide useful guidance for residents.

* All social media sites in use should be checked and updated on a regular basis and ensure that the security settings are in place  
  .
* The parish council reserves the right to delete any information on any social media which is deemed inappropriate by the council
* When participating in any online communication;
  + Be responsible and respectful; be direct, informative, brief and transparent.
  + Always disclose your identity and affiliation to the Parish Council. We will not accept anonymous contributions .
  + Never make false or misleading statements.
  + Personal opinions should not be published as being that of the Council or bring the Council into disrepute or is contrary to the Council’s Code of Conduct or any other Policies.
  + Keep the tone of your comments respectful and informative, never condescending or “loud.” Use sentence case format, not capital letters, nor write in red to emphasis points.
  + Refrain from posting controversial or potentially inflammatory remarks. Language that may be deemed as offensive relating in particular to race, sexuality, disability, gender, age or religion or belief should not be published on any social media site.
  + Avoid personal attacks, online fights and hostile communications.
  + Never use an individual’s name unless you have written permission to do so.
  + Permission to publish photographs or videos on social media sites should be sought from the persons or organisations in the video or photograph before being uploaded.
  + Respect the privacy of other councillors and residents.
  + Do not post any information or conduct any online activity that may violate laws or regulations, including copyright laws

1. GPDR

GDPR (General Data Protection Regulations) is a whole system of regulations, systems, rights and principles that aims to protect the personal data of every EU citizen– this still includes Britain after its withdrawal from the EU. The GDPR legislation documents are huge and set out to give a person more rights over the data that an organisation holds on them, but in a nutshell, the main points for Pailton Parish Council are as follows:

* A person can request to see all the details that we hold on them both in human and machine readable format – to ensure that you no information is disclosed in error. Councillors will not therefore hold any personal information on any parishioners.
* We will always ask for consent when gathering data
* The Parish Clerk will act in the role of Data Protection Officer for the Council – as part of this the clerk will be extremely careful in any personal she collects/holds and will ensure such data has full consent from the individual concerned.
* If requested we will delete all the personal data that is held by us in any format
* We will always state a valid reason for gathering and processing data from individuals – and will delete this data as soon as the purpose for collecting it has finished.
* We will fully comply with any request to withdraw data from any communications or record channel that we control or influence.

1. This policy will be received annual in May 2024 and sooner if regulations or legislation changes.

**Appendix 1**

**Transparency Code and Social Media**

|  |  |  |  |
| --- | --- | --- | --- |
| **Item to be published** | **Including:** | **Publication date** | **How we meet these requirements** |
| All items of expenditure above £100 | * Date expenditure incurred * Summary of the purpose of expenditure * Amount of expenditure * Amount of unrecoverable VAT | No later than 1 July in the year immediately following the accounting year to which the items relate | We publish after each meeting all expenditure undertaken by the parish council. |
| End of year accounts | * Copy of bank reconciliation * Explanation of any significant variances * Explanation of any differences between balances carried forward and total cash and short term investments (if applicable) | No later than 1 July in the year immediately following the accounting year to which the items relate | We meet all of these requirements by an Internal Audit followed by Council consideration and approval of all items in column one – and submission to the audit practice appointed by Government |
| Annual Governance Statement | * Explanation of any negative responses to governance statement | As above |
| Internal Audit report | * Explanation of any negative response * Explanation of any ‘not covered’ responses | As above |
| List of councillor responsibilities | * Names of all councillors | As above | This information is on our website |
| Location of public land and building assets | * Description including size/acreage * Location/address * Owner / custodian * Present use. | As above | The only asset we own if the White Lion Public House which is shown on our Asset Register – which can be downloaded from our website. We have a lease on the playing field at the Monks Kirby end of Coventry Road. |
| Minutes | * Publication of draft minutes from all formal meetings | Within one month of the meeting | We publish all our daft minutes within 10 days of each meeting |
| Agendas and papers of formal meetings | * Publication of meeting agendas and associated meeting papers | No later than three clear days before the meeting | We comply fully with this both on our website and notice boards. |

Ends

PAILTON PARISH COUNCIL Disaster Recovery – ICT Resilience

The purpose of this formal procedure is to ensure that in the event of a loss of access to the Council’s data – all critical files can be recovered through a digital protection scheme. This policy was approved in June 2023, the next formal review will be in May 2024

**Process for ensuring access to Council data security is maintained.**

1. The Council will take an annual contract with MacAfee for general digital protection.
2. On the last working day of each month the Clerk/Responsible Financial Officer shall back up all documents that have been created or updated during the month – back up will be to both onedrive and to the Council’s own hp memory stick.
3. At each meeting of the Council, the RFO shall confirm that documents have been backed up using Microsoft onedrive
4. The chair and/or vice chair – or nominated councillor - shall be provided with access to the digital storage space and sign-ons to enable them to access such material in the event of the RFO’s unavailability.
5. Because of the change of clerk in May 2022, we cannot be sure that all historic documents – from 2010 – 2022 have been digitally secured, but we have endeavoured to make sure that this is the case.
6. In addition, to one drive key statutory documents will be back up to the Parish Council’s website -www.pailtonparishcouncil.org. This will be a further resource and also meets public transparency access requirements
7. The Council will continue to take insurance cover to enable expert file recovery should this ever be necessary. Current cover is to a limit of £5000.
8. This policy will be reviewed annually – the next review will be May 2024.

end

**PAILTON PARISH COUNCIL** - RISK ASSESSMENT 2023-24

This assessment was approved in June 2023 – the next review will be in December 2023 as part of the budget process, with the assessment to be formally approved in May 2024

|  |  |  |  |
| --- | --- | --- | --- |
| **Risk Identification** | **Risk**  **Evaluation** | **Mitigation measures in place** | **Action Required in 2023/24** |
| Financial Matters  Adequacy of financial controls in general | Consequence high  Likelihood low | * Annual budget and precept set by PC at formal meeting * All finances reported at every meeting * Internal - independent audit * Self certifying accounts – after independent audit who will also provide an information service should any residents query aspects of the accou | Internal audit deadline 30 May and external audit (AGAR) submitted by 1 July each year |
| Risk of financial loss | Consequence high  Likelihood low | * Every payment is authorised by the Parish Councillors before being spent * No cash is handled * Quarterly bank reconciliation * All stationery and expenses paid after presentation of receipts – and recorded on electronic accounts | Updated for every PC meeting  Bank statements available at every PC meeting for anyone to read and reconcile with approved spending.  Recommendation from the Internal auditor that the Council opens another bank account with a different bank to ensure the Council’s balance are secure and receive maximum guaranteed protection. |
| VAT | Consequence medium  Likelihood low | * Regular reclaim of VAT to assist cash flow * VAT itemised where relevant in accounts * Councillors briefed on need to obtain VAT receipts | No set deadline but generally checked at the end of each quarter i.e. 31/3, 30/6, etc |
| Public liability | Consequence medium / High  Likelihood low | * Insurance cover for £10m | Deadline for 23/24 insurance is June 2023  Clerk to obtain new quotations based on revised asset schedule.  To be reviewed by Council in June 2023 – clerk to source alternative quotation |
| Employer’s liability | Consequence low  Likelihood low | * Insurance cover for risk of injury to employee linked to council work * WALC membership to provide advice to PC and clerk |  |
| Council Propriety | Consequence medium  Likelihood low | * Clerk to ensures each councillor’s Declaration of Acceptance of code of conduct and pecuniary interest forms are completed and returned to Rugby Monitoring Officer – who will be responsible for keeping of information * Chairman vigilant on ‘declarations of interest’ – use of WALC membership to ensure best practice is maintained * Fidelity insurance cover of £150,000 | To be completed within 2 weeks of election or co-option and returned to Rugby monitoring officer  Updated set of standing orders agreed in June 2023 – clerk and PC to review in May 2024 |
| Legal liability  Ensure PC actions are within Legal Powers | Consequence medium  Likelihood low | * Clerk has toolkit and manual to provide guidance on procedures for Society of Clerks, WALC and Rugby Borough Council * Support provided by WALC * PC meets at least 10 times per year * Minutes are prepared and issued to councillors. These are agreed and signed at PC meetings and signed by the chairperson * Draft Minutes are available for public inspection on the website – within two weeks of meeting * Clerk has electronic copies of all letters/applications | Ensure new clerk undertake training  through WALC  Review of website to ensure it is fit for purpose  Ensure any new councillor attend ‘fundamentals training’ from WALC and understand and accept code of conduct, standing orders, |
| Physical Assets  (play equipment, benches, notice boards and lighting) | Consequence high  Likelihood low for play equipment  Likelihood medium for lighting – due to its age | * Insurance in place covering all physical assets owned by Pailton Parish Council * Asset register kept and reviewed annually – * Annual inspection of play equipment by professional recognised body – who also undertake risk assessment for PC * Repairs undertaken as and when necessary * Maintenance contract for lighting to be investigated | See previous comments on insurance.  Seek advice on insurance/asset value of play equipment  Next safety inspection due August 2023  Formal monitoring systems to be minuted and ensured it is undertaken.  Funds earmarked for replacement of lamp posts should this prove necessary |
| Freedom of Information/Data Protection | Consequence low  Likelihood Low | * Clerk, as the Council’s employee, is the only person to keep electronic records of actions/decisions undertaken by the Council and the register of electors * Council registered with Information Commissioner * Advice taken from the Information Commissioner as and when required – including advice that the PC has no additional requirements under the GDPR * Training needs monitored | New councillors reminded of their responsibilities in this respect  Registration renewed each year  Any FOI requests actioned within appropriate timescale |
| Street Lamp replacement | Consequence high  Likelihood medium | Comprehensive schedule of all lamps/posts now completed.  But there needs to be an effective communication programme to source cost effective, lower energy lamps throughout the village | Councillors and clerk to research / sourcing options |
| Failure of street lamp columns | Consequence high  Likelihood medium | The PC has insurance to cover accidental damage but is at risk should a column fail through reasonable wear and tear.  Also risk from wooden columns and other mounts for street lamps. | Ask WCC to undertake an audit of the conditions of our lamp columns. |
| Continuity of experienced parish councillors | Consequence high  Likelihood medium | .  With elections in 2024, it is important to ensure all councillors feel valued and motivated | If necessary PPC should participate in any WALC councillor events |
| Continuity of experienced parish clerk/RFO | Consequence high  Likelihood high | Realistically the clerk is most unlikely to serve beyond the end of 2023/24 financial year | Recruitment process to seek a replacement clerk to start Winter 2023– based on experience it is a lengthy process so need to start early and ensure an effective transition to a new clerk |

**Pailton Parish Council:**

**Health & Safety Policy June 2023**

**Introduction**

This policy sets out the general principles and approach that the Parish Council will follow in respect of Health and Safety legislation for premises it is using and activities/events organised by the Council – including jointly organised events.

It is the responsibility of all councillors and employees of the council to be aware of the following policy and the organisational arrangements to be made to implement the points in this Statement.

The next formal review for this policy will be May 2024

**The Health and Policy Statement**

1. Pailton Parish Council, in accordance with the requirements of The Health and Safety at Work Act (1974), and The Management of Health and Safety at Work Regulations (1998), accepts its duty to provide and maintain safe and healthy working conditions for all its employees. It also accepts its duty of care to other persons such as volunteers and contractors who work on behalf of the Council.
2. The Parish Council will take all reasonable steps to ensure that it complies with the law on Health, Safety and Welfare and any relevant Regulations, Approved Codes of Practice and Guidance. It will provide the resources to ensure the safety of its employees and others affected by its work.
3. Day to day matters of Health and Safety are dealt with by the Clerk acting on behalf of the Council.
4. The Parish Council will take all reasonable steps to ensure:
   1. That information, instruction, training, supervision, equipment and facilities necessary to achieve a safe working environment for employees, members of the public, contractors and volunteers are provided.
   2. That its work, in all its forms, is done in a proper manager so that members of the public are not put at risk.
   3. That arrangements are in place for the safe use, handling, storage and disposal of all substances and equipment that may endanger health or welfare.
   4. That this policy is brought to the attention of all employees, members of the public, contractors, volunteers and Councillors and is reviewed annually.
   5. That when necessary, there is consultation and negotiation with employees on health, safety and welfare at work to ensure continuing improvement.
5. The Clerk must keep copies of all risk assessments, method statements and Health & Safety documents.
6. All Councillors, employees/contractors and volunteers have a duty to take reasonable care for their own health and safety and that of any persons who may be affected by their acts or omissions.
7. General Arrangements for Premises in use by the Parish Council -   
   The Parish Council will follow any guidelines for the relevant premises. This to include:
   1. Recording of any accidents, injuries or dangerous occurrences in the premises accident book (including the Village Hall) and reported to the Clerk.
   2. Where necessary the Clerk will report these to the HSE by telephoning 0845-300-99-23. Thereafter all such accidents should be brought to the attention of the Council.
   3. In the event of a serious injury or dangerous occurrence the Chairman or in their absence the Vice Chairman should be informed immediately.
   4. As the Parish Council regularly uses the Village Hall, the clerk and councillors must familiarise themselves with the location of the first aid box and accident book, which is in the kitchen below the electrics cupboard.
8. Fire safety
   1. When hiring or using premises the clerk and chairman will familiarise themselves with the building’s fire risk assessment.
   2. All members of the Parish Council and user groups must be made aware of the Fire Risk Assessment and its contents.
   3. It shall be the responsibility of the person booking the facilities to ensure that fire exits and passageways are kept clear at all times; as detailed in the hire agreement
   4. Any electrical equipment brought onto the premises by the council must be safe, in good working order and used in a safe manner.
9. Risk Assessments
   1. The Parish Council will carry out risk assessment of its activities as and when necessary and review these annually.
   2. The Parish Council will set up and monitor policies and procedures to reduce any risks that are identified.
   3. The Parish Council requires contractors to supply Risk Assessments, written Method Statements and Safe Systems of Work prior to starting any major works on behalf of the council.

The next review of this policy statement will be May 2024

**\**

**Pailton Parish Council – December 2022**

**Charitable Donations and Grants Policy - next review May 2024**

Power to make Donations and Grants

Under Section 137 of the Local Government Act 1972, Pailton Parish Council has discretionary powers to award grants to local groups or organisations which provide a direct benefit to the parish or its residents.

The appropriate maximum sum allowable for parish councils for the purposes of section 137(4)(a) of the Local Government Act 1972 for 2019 - 20 was £8.12 per head of electorate (this amount is usually adjusted each year in line with the retail prices index).

The Parish Council’s electorate was 404 at the end of 2022.

Considerations

* Section 137 states that if the application will only benefit, say 10% of the residents, then only 10% of the total budgeted Section 137 monies can be granted.
* An award will normally be 20% of the total cost of the work or project – unless this is seed funding for a new community led body.
* The maximum amount to be awarded to any single body in a financial year will be £100.
* An increase or reduction in this maximum limit will be discussed each year as part of the budget setting process.
* The Parish Council will **not** make donations to private individuals, private businesses nor organisations which have access to statutory funding. **Nor** will it make donations to national health charities – such as Cancer Research – as these bodies have access to other resources.

What can be funded?

* the project should be something that makes the local community a better place in which to live, work or visit.
* it should benefit people who live in the parish.
* there must be clearly presented evidence that local people support the project and are involved in carrying it out.
* applications do not have to be from groups that already exist.
* each group may only make one application per financial year (1 April to 31 March).

Pailton Priorities

* Restoration of the White Lion to provide a comprehensive community hub for the village.
* Environmental Improvements
* Activities that support children

Process

1. The application must be in writing
   * The application must give the status of the applicant and any other funding secured
   * An application must state how and when the funds will be used
   * Details of the application (including points a. and b. above) must be included on the agenda of the meeting to discuss the application.
   * A copy of the Council’s approved Policy on Charitable donations will be attached to the agenda of any meeting that is to consider an application for a donation.
   * If the financial limit of £100 of charitable donations has already been allocated in that financial year (1st April – 31st March), the applicant will be advised to apply again early in the next financial year. The onus will be on the applicant to make a further application.

* Notice of application for funds must be included in the published agenda for the meeting at which it will be considered.
  + Any requests for donations raised by a parishioner at a meeting will not be considered at that meeting – but instead the applicant by the chairman will be told to submit the request in writing – ensuring point 1a. and 1b. are covered.
  + If the financial limit for charitable donations has already been allocated – point 1e. above will apply.
* The Council’s decision will be included in the published minutes
* The Council’s decision is final.

ENDS

**Pailton Parish Council Complaints Policy**

**This policy was approved on 12 June 2023, its next review will be May 2024**

**1. Identifying a complaint**

Pailton Parish Council will use the Local Government Ombudsman (LGO) definition of a complaint, which is:

‘*A complaint is an expression of dissatisfaction by one or more members of the public about the Council’s action or lack of action or about the standard of a service, whether the action was taken or the service provided by the council itself, or a person or body employed by ,or acting on behalf of the council*.’

**2. Complaints made to, or about, Pailton Parish Council**

It may not be possible to deal with all types of complaints from members of the public under the Parish Council’s complaints policy procedure. Where such complaints are outside the remit of the policy, the Council will notify the complainant of the correct body to contact to pursue their complaint.

**Complaints about an employee of the Council** will be dealt with as an employment matter. The complainant can be assured that the matter will be dealt with internally and appropriate action taken as required. Complaints must be made in writing and submitted to the Parish Chairman.   
  
Should a complaint be made by a councillor about an employee, then the same procedure must be followed i.e. a complaint made in writing and submitted to the Parish Chairman.

**Complaints against Parish Councillors** - if the complaint relates to a failure to comply with the Code of Conduct, this must be submitted to the Monitoring Officer at our principal authority, Rugby Borough Council.

**Complaints about the administration/ procedures of the Parish Council** - this policy is aimed at situations where a complaint has been made about the administration of the Council or about its procedures and which cannot be satisfactorily resolved with less formal measures or explanations provided to the complainant by the Clerk or Chairman.   
  
**Complaints in relation to the Council’s financial performance** may be considered by the Council’s appointed Internal Auditors. Upon request the Clerk will provide contact details for the Internal Auditor and will draw their attention to any complaints received.

**3. The council’s complaints procedure aims to be:**

* well publicised and easy to use;
* helpful and receptive;
* not adversarial;
* fair and objective;
* quick, thorough, rigorous and consistent;
* decisive and capable of putting things right where necessary;
* sensitive to the special needs and circumstances of the complainant;
* adequately resourced;
* fully supported by councillors and the officer; and
* regularly analysed to spot patterns of complaint and lessons for service improvement.

**4. Confidentiality**

The Local Government Ombudsman advises that the identity of a complainant should only be made known to those who need to consider a complaint. The Council should take care to maintain confidentiality where circumstances demand (e.g. where matters concern financial or sensitive information or where third parties are concerned).

**5. Timescale and Remedies**

The Parish Council will endeavour to handle any complaint as soon as practicable, with time allowed for dealing with lengthy and complex complaints. The Council must be given adequate opportunity to investigate and reply to the complaint. The object of the procedure is to rectify things if they go wrong and take action to ensure that such a mistake does not reoccur.

**6. Procedures**

These procedures are designed for those complaints which cannot be satisfied by less formal measures or explanations provided to the complainant by the Parish Clerk or Chairman.

* The complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Parish Clerk, clearly stating the nature of the complaint and the remedy sought .
* If the complainant does not wish to put the complaint to the Parish Clerk, they may be advised to send it to the Chairman
* If the complaint is about the Chairman, then the Parish Clerk should involve the Vice Chairman and/or seek confidential advice from our principal authority, Rugby Borough Council or from Warwickshire Association of Local Councils (WALC).
* The Parish Clerk or Chair of Council shall acknowledge the receipt of the complaint **– within 7 days** and advise the complainant how they will investigate all aspects relating to the complaint –and the time scale generally this should not exceed 21 days
* The Complainant will have the opportunity to present their complaints to the Chair (or Vice Chair) and/or Parish Clerk … and receive the Council’s findings in person.
* If relevant, the Parish Clerk or Chair (or Vice Chair) will explain the Council’s position.
* The position will be confirmed in writing within seven working days together with details of any action to be taken.
* When a complaint is found to be justified (upheld) the Chair, or Vice Chair, will make a statement at a meeting of the Council in public but be mindful of confidentiality with information on the lessons learned from the complaint and the process itself.

June 2023

**Pailton Parish Council**

**Charitable Donations and Grants Policy - next review May 2024**

Power to make Donations and Grants

Under Section 137 of the Local Government Act 1972, Pailton Parish Council has discretionary powers to award grants to local groups or organisations which provide a direct benefit to the parish or its residents.

The appropriate maximum sum allowable for parish councils for the purposes of section 137(4)(a) of the Local Government Act 1972 for 2019 - 20 was £8.12 per head of electorate (this amount is usually adjusted each year in line with the retail prices index).

The Parish Council’s electorate was 404 at the end of 2022.

Considerations

* Section 137 states that if the application will only benefit, say 10% of the residents, then only 10% of the total budgeted Section 137 monies can be granted.
* An award will normally be 20% of the total cost of the work or project – unless this is seed funding for a new community led body.
* The maximum amount to be awarded to any single body in a financial year will be £100.
* An increase or reduction in this maximum limit will be discussed each year as part of the budget setting process.
* The Parish Council will **not** make donations to private individuals, private businesses nor organisations which have access to statutory funding. **Nor** will it make donations to national health charities – such as Cancer Research – as these bodies have access to other resources.

What can be funded?

* the project should be something that makes the local community a better place in which to live, work or visit.
* it should benefit people who live in the parish.
* there must be clearly presented evidence that local people support the project and are involved in carrying it out.
* applications do not have to be from groups that already exist.
* each group may only make one application per financial year (1 April to 31 March).

Pailton Priorities

* Restoration of the White Lion to provide a comprehensive community hub for the village.
* Environmental Improvements
* Activities that support children

Process

1. The application must be in writing
   * The application must give the status of the applicant and any other funding secured
   * An application must state how and when the funds will be used
   * Details of the application (including points a. and b. above) must be included on the agenda of the meeting to discuss the application.
   * A copy of the Council’s approved Policy on Charitable donations will be attached to the agenda of any meeting that is to consider an application for a donation.
   * If the financial limit of £100 of charitable donations has already been allocated in that financial year (1st April – 31st March), the applicant will be advised to apply again early in the next financial year. The onus will be on the applicant to make a further application.

* Notice of application for funds must be included in the published agenda for the meeting at which it will be considered.
  + Any requests for donations raised by a parishioner at a meeting will not be considered at that meeting – but instead the applicant by the chairman will be told to submit the request in writing – ensuring point 1a. and 1b. are covered.
  + If the financial limit for charitable donations has already been allocated – point 1e. above will apply.
* The Council’s decision will be included in the published minutes
* The Council’s decision is final.

END

**PAILTON PARISH COUNCIL** - EQUAL OPPORTUNITIES POLICY - July 2023

This policy will be reviewed in May 2024

**Pailton Parish Council is committed to serving our community to the best of our abilities and the provision of equal opportunities is inherent in all we do. We extend this commitment to all who engage with us, or provide services to us, whether directly employed, such as our Clerk to the Council, volunteers on our Working Groups or partners and contractors supporting us on our White Lion community project. We will treat everyone in a in a fair and disciplined manner.**

The purpose of this policy is to provide equal opportunities to all who are directly employed, engage with us or supply contracting services to us, irrespective of age, gender, marital status, being pregnant or on maternity leave, disability, race including colour, nationality, ethnic or national origin, religion or belief, sex, sexual orientation.

Pailton Parish Council (PPC) opposes all forms of unlawful and unfair discrimination. Employees, volunteers, partners and contractors will be treated fairly and equally. Selection for employment, promotion, training, remuneration or any other benefit will be on the basis of aptitude and ability. Employees will be helped and encouraged to develop their full potential and the talents to maximise the efficiency of the Parish Council.

**Statement on Equal Opportunities**

PPC recognises its obligations under the Public Sector Duty provisions of the Equality Act 2010 and the spirit and intent of the related Codes of Practice:

• For the elimination of discrimination on grounds of age, sex or marital status and the promotion of equality of opportunity in employment;

• For the elimination of discrimination on grounds of race and the promotion of equality of opportunity in employment;

• For the elimination of discrimination on the grounds of disability and the promotion of equality of opportunity in employment.

**Commitment to Policy**

PPC supports the principles and practices of equal opportunity and recognises that it is the duty of all Councillors and employees to accept their personal responsibility for fostering a fully integrated community by adhering to the principles of equal opportunity. PPC will actively promote equal opportunities throughout the organisation and with every organisation or individual with whom we engage, either directly or indirectly. We will ensure that individuals receive treatment that is fair and equitable and consistent with their relevant aptitudes, potential, skills, experiences and abilities. The Parish Clerk will seek to ensure that all councillors, employees – whether direct or indirectly employed- comply with these principles.

PPC will ensure that individuals are recruited and selected, promoted and trained on objective criteria having regard to the relevant aptitudes, potential, skills, experiences and abilities. In particular, no applicant will be placed at a disadvantage by requirements or conditions which are not necessary to the performance of the job or which constitute indirect unfair discrimination. Reasonable adjustments will be made where a disabled person is put in a detrimental position and such reasonable adjustments remove the detriment.

PPC recognises the problems that sexual or racial harassment may cause at work and is committed to ensure that such unacceptable behaviour does not take place. Sexual harassment includes (but is not limited to) unwanted physical contact, suggestive remarks or behaviour, compromising invitations, demands for sexual favours and similar unwanted behaviour.

Racial harassment is similarly unwanted treatment but is concerned with derogatory treatment and language on racial grounds. All forms of harassment are abhorrent and will not be tolerated by PPC.

Sexual and racial harassment are regarded as unlawful discrimination and additionally may also be subject to criminal proceedings. All such cases will be dealt with clause 13 – dealing with complaints as part of our approved Standing Orders.

PPC recognises its duty to ensure that if any detrimental impact on a disabled person, as a consequence of their disability, can be removed by the adoption of reasonable adjustments, then the Council is committed be put the adjustments in place, where reasonably practicable and where the detriment is substantial.

**Training and Advertising**

PPC will train, develop, promote and recruit employees and volunteers (whether direct or indirect) on the basis of merit and ability only. When vacancies are advertised, or contracts are let, the PPC will continue to ensure that such advertising, both in placement and content, is compatible with the terms of this Policy. In practical terms this means that the wording of advertisements will be carefully scrutinised to ensure that any hidden discrimination is avoided or that sexually, racially or disability loaded wording is avoided. Every effort will be made to ensure that the advertisements are placed in a way that provides the biggest audience, to also includ the Parish Council website, to open up opportunities to as many people or organisations as is practicable.

**Communication**

The principles in this Policy will be brought to the attention of all Councillors, staff and partners/contractors who support the PPC through their work on the White Lion project: all will be encouraged to bring to the attention of the Parish Clerk any act of discrimination they observe.

Anyone with whom we engage and become disabled are encouraged to bring this to the attention of the Clerk to the Council enable a review of their individual needs to be made. This review will include an assessment of the Council’s working practices to ensure that these do not place the disabled person at a substantial disadvantage. Where they do, then adjustments will be put in place where reasonable to do so.

24 July 2023

………………………….

Chairman of the Parish Council

1. Pailton Standing Orders – reviewed and approved May/June 2023 [↑](#footnote-ref-1)
2. [↑](#footnote-ref-2)
3. [↑](#footnote-ref-3)