**MAXSTOKE PARISH COUNCIL**

**STANDING ORDERS**

1. Rules of debate at meetings

 2. Disorderly conduct at meetings

 3. Meetings generally

 4. Committees and sub committees

 5. Ordinary council meetings

 6. Extra ordinary meetings of the council and committees and

Sub committees

 7. Previous resolutions

  8. Voting on appointments

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

the proper officer

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

11. Handling confidential or sensitive information

12. Draft minutes

13. Code of conduct and dispensations

14. Code of conduct complaints

15. Proper officer

16. Responsible financial officer

17. Accounts and accounting statements

18. Financial controls and procurement

19. Handling staff matters

20. Requests for information

21. Relations with the press/media

22. Execution and sealing of legal dates

23. Communicating with district and county or unitary councillors

24. Restrictions on Councillor activities

25. Standing orders generally

**1. RULES OF DEBATE AT MEETING**

Motions on the agenda shall be considered in the order they appear unless the order is changed at the discretion of the chairman of the meeting. A motion (including an amendment) shall not be progressed unless it has been moved and seconded. A motion on the agenda that is not moved by it's proposer may be treated by the chairman of the meeting as withdrawn. If a motion (including an amendment) has been seconded, it maybe withdrawn by the proposer only with the consent of the seconder and the meeting.  An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.  If an amendment to the original motion is carried, the original motion becomes a substantive motion upon which further amendment(s) may be moved. 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. 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. 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. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting unless one or more amendments are being discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately. A councillor my not move more than one amendment to the original or substantive motion. The mover of an amendment has no right of reply at the end of debate on it. Where a series of amendments to an original motion are carried, the mover of the original Motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote. Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:

1. To speak on an amendment moved by another councillor;
2. To move or speak on another amendment if the motion has been amended since he last spoke;
3. To make a point of order;
4. To give a personal explanation; or
5. To exercise of a right of reply.

During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify which part of the standing order he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by. A point of order shall be decided by the chairman of the meeting and his decision shall be final. When a motion is under debate, no other motion shall be moved except:

1. To amend the motion;
2. To proceed to the next business;
3. To adjourn the debate;
4. To put the motion to a vote;
5. To ask a person to be no longer heard or to leave the meeting;
6. To refer to a motion to a committee or sub-committee for consideration;
7. To exclude the public and press;
8. To adjourn the meeting; or
9. To suspend a particular part of a standing order except one which reflect mandatory statutory requirements.

Excluding motions moved under the above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting. 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 to reply.

**2. DISORDERLY CONDUCT AT MEETINGS**

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

**3. MEETINGS GENERALLY**

The Nether Whitacre Parish Council Meetings normally take place on the third Monday in the month in the Nether Whitacre Village hall at 7.30pm. Public are invited to attend from 7.15pm – 7.30pm to discuss matters with the councillors.

Meetings may not take place in licenced premises. They must be held in a room suitable for public to attend, not in a dwelling and needs of disabled people are to be considered, can be a school but must not interfere with education or any building which affects admin of justice or police. It may be outside the locality. May meet any day at any time except the annual meeting must be after 6.00pm to allow public to attend.

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.

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 resolution which shall give reasons for the public’s exclusion. 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.

The period of time designated for public participation at a meeting shall not exceed 15 minutes and a member of the public shall not speak for more than 3 minutes. The council is not required to make a response at the meeting nor start a debate on the question. The chairman may direct that a written or oral response be given. A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort) and direct his comments to the chairman of the meeting who may at any time permit a person to be seated when speaking. 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. If a council anticipate disturbance at a forthcoming meeting it is advisable to contact the police beforehand and request their assistance. Any councillor may move a motion to require any person who persists in being disruptive be removed from the meeting. Usually the chairman should move the motion. If that person will not leave the chairman may suspend or ultimately close the meeting.

Press

The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. Any person attending a meeting may report by filming, photography or making an audio recording of the proceedings using an ipod or a mobile phone as an example. They may write a report or commentary on the proceedings by blogging, posting comments on Facebook or tweeting. There is an expectation that any reporting will focus on the proceedings of a meeting and those who participate in it rather than those who are simply attending. Those who attend a public meeting should expect to be filmed. Public & press may be excluded for the whole or part of a meeting if it resolves that publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or other special reasons stated in the resolution. It is unlawful to exclude some of the public or the press, the exclusion must apply to all. The council may invite individuals to speak at a meeting when in private session, maybe a solicitor, advisor or member of staff. The chairman would remind those who wish to film, record, photograph or otherwise report on the proceedings that consent must be sought from a responsible adult or guardian in respect of vulnerable adults and children. A separate area in the meeting venue should be made available for those who do not have consent to be filmed and any person filming must avoid this area and take care that personal data is used in accordance with the Date Protection Act.

The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-chairman, if present, shall preside. If both the Chairman and the Vice Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting. 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.

Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors with voting rights who are present and voting. The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. 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 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.

(i) A councillor or a non-councillor with voting rights who has a disclosable pecuniary or another interest as set out in the council’s code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

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. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda shall be adjourned to another meeting.

A meeting shall not exceed a period of 3 hours.

Minutes

The minutes of a meeting shall include an accurate record of the following:

The time and place of the meeting.

The name of the councillors present and absent.

Interests that have been declared by councillors and non-councillors with voting rights.

Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered.

If there was a public participation session.

The resolutions made.

**4. COMMITEES AND SUB-COMMITTEES**

Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee. (i) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council. (ii) Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

The council may appoint standing committees or other committees as may be necessary, and:

* Shall determine their terms of reference;
* Shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
* Shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
* Shall, subject to standing orders 4(i) and (ii) above, appoint and determine the terms of office of members of such a committee;
* May, subject to standing orders 4 (i) and (ii) above, appoint and determine the terms of office of the substitute members of a committee whose role is to replace the ordinary members of a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;
* Shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
* Shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
* Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
* Shall determine if the public may participate at a meeting of a committee;
* Shall determine if the public and press are permitted to attend the meeting of a sub-committee and also the advance public notice requirements, if any, required for the meeting of a sub-committee;
* Shall determine if the public may participate at a meeting of a cub-committee that they are permitted to attend; and
* May dissolve a committee.

**5. ORDINARY COUNCIL MEETINGS**

In an election year, the annual meeting of the council shall be held on or within 14 days following the day of which the new councillors elected take office. In a year which is not an election year, the annual meeting of the council shall be held in May, normally the third Monday of the month at 7.30 pm. In addition to this a parish meeting is held in April and normal council meetings are held on the third Monday of the month (except August).

Election of Chairman

The first business conducted at the annual meeting of the council shall be the election of the chairman and vice chairman (if any) of the council. The chairman of the council, unless he resides or becomes disqualified shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council. The vice chairman, unless he resigns 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. In an election year, if the current chairman of the council has not been re-elected as a member of the council, he shall preside at the 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 must give a casting vote in the case of an equality of votes. In an election year, if the current chairman of the council has been re-elected as a member of the council, he shall preside at the meeting until a new chairman of the council has been elected. He may exercise an original vote in respect of the election of the new chairman of the council and must give a casting vote in the case of an equality of votes.

Following the election of the chairman of the council and vice chairman (if any) of the council at the annual meeting of the council, the business of the annual meeting shall include:

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 his acceptance of office form unless the council resolves for this to be done at a later date.

Confirmation of the accuracy of the minutes of the last meeting of the council.

Receipt of the minutes of the last meetings of any committees.

Considerations of the recommendations made by a committee.

Review of delegation arrangements to committees, sub-committees, staff and other local authorities.

Review of the terms of reference for committees

Appointment of members to existing committees

Appointments of any new committees.

Review and adoption of appropriate standing orders and financial regulations

Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities.

Review of representation on or work with external bodies and arrangements for reporting back.

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.

Review of inventory of land and assets including buildings and office equipment.

Confirmation of arrangements for insurance cover in respect of all insured risks.

Review of the council’s and/or staff subscription to other bodies.

Review of the council’s complaints procedure.

Review of the council’s procedure for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2000 and the Data Protection Act 1998.

Review of the councils procedure for dealing with the press/media; and

Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

**6. EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES AND SUB COMMITTEES**

The Chairman of the Council may convene an extraordinary meeting of the council at any time. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors. The chairman of a committee (or sub-committee) may convene an extraordinary meeting of the committee (or the sub-committee) at any time. If the chairman of a committee (or sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee (or sub-committee), any two members of the committee (or sub-committee) may convene an extraordinary meeting of a committee (or a sub-committee).

**7. PREVIOUS RESOLUTIONS**

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

**8. VOTING ON APPOINTMENTS**

When more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercised by the chairman of the meeting.

**9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

A motion shall relate to the responsibilities of the meeting which is tabled for and in any event shall relate to the performance of the council’s statutory functions, powers and obligations or an issue which specifically affects the council’s area or its residents. (i) 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 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting. The Proper Officer may, before including a motion on the agenda received in accordance with 9 (i) above, correct obvious grammatical or typographical errors in the wording of the motion. If the Proper Officer considers the wording of a motion received in accordance with standing order 9 (i) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting. (ii) 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. Subject to standing order 9 (ii) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final. Motions received shall be recorded in a book for that purpose and numbered in the order that they are received. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

**10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

The following motions may be moved at a meeting without written notice to the Proper Officer;

1. To correct an in inaccuracy in the draft minutes of a meeting;
2. To move 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 appoint a committee or sub-committee and their members;
10. To extend the time limits for speaking;
11. To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
12. To not hear further from a councillor or a member of the public;
13. To exclude a councillor or member of the public for disorderly conduct;
14. To temporarily suspend a meeting;
15. To suspend a particular standing order (unless it reflects mandatory statutory requirements);
16. To adjourn the meeting; or
17. To close a meeting.

**11. HANDLING CONFIDENTIAL OR SENSITIVE INFORMATON**

The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

**12. DRAFT MINUTES**

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. 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 10 (I) above. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect;

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

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

**13. COUNCILLORS CODE OF CONDUCT AND DISPENSATIONS**

(see also standing order 3(i) above

All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

(i) 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 in required. (ii) A decision as to whether to grant a dispensation shall be made (by the Proper Officer) OR (by a meeting of the council, or committee or sub-committee for which the dispensation is required) and the decision is final.

(iii) 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.

Subject to standing orders 13 (i) and (iii) above, dispensations requests shall be considered (by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required) OR (at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required. A dispensation may be granted in accordance with standings order 13 (ii) above if having regard to all relevant circumstances the follow applies:

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 or
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.

**14. CODE OF CONDUCT COMPLAINTS**

The term of councillors runs for four years from the fourth day after the date of the ordinary election until the fourth day after the next ordinary election. A term of office of a councillor may be ended in written resignation to the chairman, failure to attend meetings for six consecutive months without a reason approved by the council or disqualified for a prison sentence, bankruptcy, an election offence or for a serious breach of conduct. Upon notification by North Warwickshire Borough Council or Warwickshire County 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 above, report this to the council. Where the notification in relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the 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 (iii) below.

The Council may:

1. Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
2. Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

(iii) Upon notification by the District or County Council that a councillor or non-councillor with voting rights has breached the council’s code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

**15. PROPER OFFICER**

The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent. The Proper Officer serves from the date of appointment until her service is ended in resignation, dismissal within the terms of employment or death. The Proper Officer shall:

1. At least three clear days before a meeting of the council, a committee and a sub-committee, serve on councillors, by delivery, post at their residence or email a signed summons confirming the time, place and the agenda. An email must contain the electronic signature and title of the Proper Officer (see standing order 3 for the meaning of clear days for a meeting of a full council and a committee).
2. Give public notice of the time. Place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
3. Subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it;
4. Convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
5. Take the minutes of the council meeting and facilitate inspection of the minute book by local government electors and arrange for their display on the website within one month of the meeting;
6. Receive and retain copies of byelaws made by other local authorities;
7. Retain acceptance of office forms from councillors;
8. Retain a copy of every councillor’s register of interests;
9. Assist with responding to requests made under the Freedom of Information Act 2000 and Date Protection Act 1998, in accordance with and subject to the council’s policies and procedures relating to the same;
10. Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
11. Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
12. Arrange for legal deeds to be executed; See also standing order 22 below.
13. Arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the council in accordance with the council’s financial regulations;
14. Record every planning application notified to the council and the council’s response to the local planning authority in a book for such purpose; Following the introduction of a 21 day response period, the clerk shall notify by email details of any planning applications which need to be addressed before the next Parish Council meeting. Any comments will be circulated to all councillors and at least 4 councillors must agree to any observations before a response is forwarded to planning. If no agreement is reached the clerk shall apply for an extension to the public consultation date.
15. Refer a planning application received by the council to the Chairman (or vice-chairman in his absence) 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.
16. Manage access to information about the council via the publication scheme;

**16. RESPONSIBLE FINANCIAL OFFICER**

The Proper Officer for Nether Whitacre Parish Council is also the Responsible Finance Officer. The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when absent.

**17. ACCOUNTS AND ACCOUNTING STATEMENTS**

‘Proper practices’ in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide.

All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council’s financial regulations.

Each month at the parish council meeting the Responsible Financial Officer shall supply to each councillor a statement to summarise:

1. The Councils income and expenditure for the month;
2. The Councils aggregate income and expenditure for the year to date;
3. The balances held at the end of the month being reported which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

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 income and expenditure for the last quarter and the year to date for information; and
2. To the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30th June.

**18. FINANCIAL CONTROLS AND PROCUREMENT**

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;

1. The keeping of accounting records and systems of internal controls;
2. The assessment and management of financial risks faced by the council;
3. The work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
4. The inspection and copying by councillors and local electors of the council’s accounts and/or orders of payments; and
5. Procurement policies where a contract has an estimated value of less than £100.

Financial regulations shall be reviewed regularly and at least annually for fitness of purpose. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £100 shall be procured on the basis of a formal tender as summarised below.

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:

1. A specification for the goods, materials, services or the execution of works shall be drawn up;
2. 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 councillors or staff to encourage or support their tender outside the prescribed process;
3. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
4. 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;
5. Tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

**19. HANDLING STAFF MATTERS**

A matter personal to a member of staff that is being considered by a meeting of council is subject to standing order 11 above. The Proper Officer must notify the chairman (or in his absence the vice-chairman) if ill or unable to work for any other reason. Once a year the chairman seeks views from other councillors and conducts a review of the performance and annual appraisal of the work of the clerk. This shall be discussed with the clerk prior to the meeting when an anniversary pay increase is due (currently October) or before if problems arise. The appraisal will have a bearing on whether an incremental salary award is given. The chairman or vice chairman would handle any grievance matter, report back to councillors and progress the resolution. If the grievance is relating to the chairman or vice chairman the clerk would seek the views of councillors to progress a resolution. All such matters are kept confidential, any written records kept secure. Keys and computer password and pin numbers are kept by the clerk and the chairman.

**20. REQUESTS FOR INFORMATION**

Requests for information held by the council shall be handled by the Proper Officer who keeps all the records and maintains the council’s website in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998.

**21. RELATIONS WITH THE PRESS/MEDIA**

Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be discussed with the chairman or vice chairman before a report is given.

**22. EXECUTION AND SEALING OF LEGAL DEEDS**

SEE ALSO STANDING ORDERS 15 (XII)

A legal deed shall not be executed on behalf of the council unless authorised by a resolution. Any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

**23. COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS**

An invitation to attend the monthly meeting of the council shall be sent to the North Warwickshire Borough councillor and the Warwickshire County councillor. An agenda for the forthcoming meeting and minutes of the last meeting are also attached.

**24. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

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

**25. STANDING ORDERS GENERALLY**

All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting. A motion to add to or vary or revoke one or more of the council’s standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9 above. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final. The proper Officer shall provide a copy of the council’s standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

……………………………………………………………………………. ……………………………………………………………………

Chairman Date