

Kirby Wiske, Newsham with Breckenbrough Parish Council

STANDING ORDERS

The purpose of the Council is to work within its statutory powers to maintain and enhance the village's public amenities, and to help the people of Kirby Wiske with Newsham and Breckenbrough to improve their quality of life, working in partnership with North Yorkshire Council.

Councillors

- a) Election to the Council will be by ballot of the electorate of the parish.
- b) Councillors agree to follow the Code of Conduct, which is overseen by the Standards Board for England.
- c) Where insufficient Councillors have been elected by ballot the Council may nominate at its discretion individuals for co-option to the Council so long as the total number of co-opted members does not exceed the number of elected members.
- d) A person shall cease to be a member of the Council when having notified the Chairman in writing of their wish to resign.

1) Administration

- a) The Council's administrative affairs are dealt with by the Parish Clerk, appointed by the Parish Council, who is a part time employee of the Parish Council, unless the Clerk is a member of the Council, acting in an unpaid capacity.
- b) The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; record proceedings of meetings, sign documents other than payment instructions on behalf of the Council and issue and disperse agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council.
- c) As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council

2) Meetings

- a) An agreed frequency of meetings will be decided at the Annual Meeting.
- b) At the Annual General Meeting held in May each year they will elect from their number a Chair and Vice Chair to serve for the ensuing twelve months.
- c) The Parish Council shall meet on the first Tuesday of the months of May, July, September, November, January and March at 7.30pm except in May when it shall be held on the Tuesday before the third Thursday in the month of an election year.
- d) The agenda for the meeting will be agreed by the Clerk, Chair and Vice Chair as appropriate.
- e) The agenda must be issued at least three clear business days before the meeting, it may be sent via email to councillors and associates. Public notices will be posted on the village notice board

informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.

- f) Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential. Members of the public may speak only during the open forum or at the invitation of the Chairman and may be excluded from the meetings for a particular item of business if the Chairman deems such exclusion is in the public interest.
- g) The Chairman of the Parish Council shall preside.
- h) Should the Chairman be absent the Vice Chairman shall preside.
- i) In the absence of both Chairman and Vice Chairman the meeting shall appoint a Chairman before it proceeds to any business.
- j) In the absence of the clerk, the person presiding may record proceedings or appoint another to do so.
- k) As soon as the Chair is filled and provision made for the recording of the proceedings the minutes of the previous meeting if considered correct shall be signed by the person presiding at the meeting.
- l) A quorum shall constitute three people (or the number which constitutes a third of the membership of the Parish Council, whichever is the greater).
- m) All business shall be conducted through the chair.
- n) During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Yorkshire Local Councils Association.
- o) The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.
- p) Where Councillors have a pecuniary interest, either direct or indirect in matters under discussion they shall declare it and take no further part in the discussion. The Chairman will give Councillors the opportunity to vacate the room if they wish.
- q) Voting at the meeting shall be by a show of hands. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- r) Proxy votes can only be accepted when it is known in advance there will be a vote and all details have been previously discussed or circulated.

4) **Recording of meetings**

(In accordance with Openness of Local Government Bodies Regulations 2014.)

- a) Any person may now legitimately record a parish meeting. Any person wishing to record a meeting in any format whatsoever must contact, the Clerk prior to the start of the meeting, or in their absence the contact will be the Chairman.
- b) Recording may be by film, photograph and or audio recording of proceedings and must be made from a static point defined by the council. Oral commentary during recording by the person making the recording is not permitted. Statements made during meetings will not be repeated for recording purposes. Excessive lighting, flash photography or disruptive action whilst recording is not permitted. Recordings should not be edited in any way which leads to misrepresentation of the

proceedings or which ridicules or shows lack of respect for those in the recording. The recordings and the persons carrying them out must observe and comply with the law, including, The Human Rights Act, the Data Protection Act and the laws of libel and defamation all of which apply. The council will have no liability for material published by any person other than itself.

- c) Filming/recording of members of the public, children and vulnerable persons cannot take place without their or their parent/guardian's written consent, which must be obtained prior to filming or recording.
- d) However, recording of any type is not permitted where the council or parish meeting resolves to exclude the press and public due to the nature of the business being transacted being prejudicial to the public interest.

5) **Freedom of Information**

- a) The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. It publishes its agendas and minutes on the parish notice board. Any member of the public can inspect Council papers and attend Council or committee meetings. They may also inspect the Council's accounts and make their views known to the external auditor.
- b) The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

6) **Finance**

- a) The Responsible Finance Officer is a statutory office and appointed by the Council.
- b) The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with Proper Practices.
- c) The RFO will compile estimates of income and expenditure annually for the Council's consideration.
- d) The Council will review the budget not later than the end of December in preparation for the precept being agreed, and submitted to the Collection Authority when requested.
- e) During the year the budget will be reviewed against actual expenditure and income. Amendments to the budget will be discussed in Council and changes recorded in the minutes.

7) **Banking Arrangements and Cheques**

- a) Each cheque is to be properly completed before being signed.
- b) The Council's banking arrangements, including the Bank Mandate, will be approved by the Council. They will be regularly reviewed for efficiency.
- c) A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.
- d) All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure. Cheques will be completed for all transactions and signed by two authorised Councillors.
- e) Each cheque stub is to contain the same particulars as the corresponding cheque and is to be signed by the members who sign the cheque.

8) **Accounting and Audit**

- a) The accounts for a financial year should be made up and balanced as soon as possible after 31st March and are to be signed by the Chairman and the Clerk of the Parish Council.
- b) The RFO will complete the annual financial statements of the Council including the annual return as soon as practicable after 31st March and will submit and report on them to the Council for signature by both the Chairman and the Clerk to the Council. The Council will ensure that there is an

adequate, effective system of internal audit of the Council's accounting, financial and other procedures in line with Proper Practice and review this each year.

- c) The accounts shall be audited annually.
- d) An Internal Auditor will be appointed by the Council to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Council.
- e) The RFO will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

9) **Assets**

- a) The RFO will ensure that an appropriate and accurate Register of Assets is maintained by the Council. It will be reviewed at least annually, in conjunction with a health and safety inspection of assets if appropriate.

10) **Insurance**

- a) Following the annual risk assessment the Council will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Council. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

11) **Contracts and Purchase Orders**

- a) An official order or letter will be issued for all work or service paid for by the Council.
- b) All Councillors and officers are responsible for obtaining good value for money at all times.
- c) An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction. Orders for values £500 to £2000 require a minimum of two quotations; for values above £2000 three quotations are required. Contracts exceeding £50,000 require additional safeguards and will follow Proper Practice.
- d) All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

12) **Risk Assessment**

- a) A risk assessment will be undertaken annually of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed annually.
- b) If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

13) **Standing Orders**

- a) These Standing Orders may be altered and additional clauses added by a resolution passed by not less than two thirds of the Council present.

Signed as accepted by the Parish Council

Date.....

Kirby Wiske, Newsham with Breckenbrough Parish Council

STANDING ORDERS

This document contains the following sections

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- 2) Administration sub. a) – c)
- 3) Meetings sub. a) – r)
- 4) Recording of meetings. sub. a) – d)
- 5) Freedom of Information sub. a) – b)
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- 8) Accounting and Audit. sub. a) – e)
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- 10) Insurance. sub. a)
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- 12) Risk Assessment. sub. a) – b)
- 13) Standing Orders sub. a)