

IRBY UPON HUMBER PARISH COUNCIL

17 August 2023

Dear Councillor

You are hereby summoned to attend an Extraordinary Meeting of Irby upon Humber Parish Council.

The meeting will be held on Thursday 24 August 2023, commencing at 7pm at St Andrews Church Hall, Church Lane, Irby upon Humber, DN37.

The agenda specifying the business to be transacted is set out below.

Councillor E. Rooke

Councillor M. Moody

Agenda

1. To elect a Chair of the Council
2. To consider the election of a Vice-Chair of the Council
3. Delivery by the Chair of the Council and Members of the Council of their acceptance of office

Members to note the requirement to complete an Election Expenses and Register of Interest forms following their election
4. To note the absence of Members of the Council
5. To receive declarations of Disclosable Pecuniary Interests and Personal or Personal and Prejudicial interests
6. To adopt Standing Orders (Paper A)
7. To adopt Financial Regulations (Paper B)
8. To adopt a Code of Conduct (Paper C)
9. To consider a report relating to the audit and financial matters including expenditure (Paper D)
10. To consider arrangements for the recruitment and appointment of a Clerk (Paper E)

11. To determine the provisional time and place of ordinary meetings of the Council and the next Annual Meeting of the Council
12. To note the following list of items of business, which is not exhaustive, but will nevertheless need to be considered at a future meeting of the Council:
 - i. Review of inventory of land and other assets including buildings and office equipment;
 - ii. Confirmation of arrangements for insurance cover;
 - iii. Review and adoption of other policies and procedures, and;
 - iv. Budget and budget monitoring

Irby upon Humber Parish Council Standing Orders

Adopted: 24 August 2024

To be reviewed: May 2024

1. RULES OF DEBATE AT MEETINGS	2
2. DISORDERLY CONDUCT AT MEETINGS	4
3. MEETINGS GENERALLY	4
4. COMMITTEES AND SUB-COMMITTEES.....	7
5. ORDINARY COUNCIL MEETINGS	8
6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES.....	10
7. PREVIOUS RESOLUTIONS	10
8. VOTING ON APPOINTMENTS	11
9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER.....	11
10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE	12
11. MANAGEMENT OF INFORMATION.....	12
12. DRAFT MINUTES.....	13
13. CODE OF CONDUCT AND DISPENSATIONS	14
14. CODE OF CONDUCT COMPLAINTS	15
15. PROPER OFFICER	16
16. RESPONSIBLE FINANCIAL OFFICER	17
17. ACCOUNTS AND ACCOUNTING STATEMENTS.....	17
18. FINANCIAL CONTROLS AND PROCUREMENT	18
19. HANDLING STAFF MATTERS.....	20
20. RESPONSIBILITIES TO PROVIDE INFORMATION See also standing order 21.	20
21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION	21
22. RELATIONS WITH THE PRESS/MEDIA	21
23. EXECUTION AND SEALING OF LEGAL DEEDS	21
24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS.....	22
25. RESTRICTIONS ON COUNCILLOR ACTIVITIES.....	22
26. STANDING ORDERS GENERALLY	22

RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- h A councillor may move an amendment to his/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- j 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 chair of the meeting.
- k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:

- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he/she/they last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p 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/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chair 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/her/their right of reply.
- t 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 15 minutes without the consent of the chair of the meeting.

1. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair 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.
- c If a resolution made under standing order 2(b) is ignored, the chair 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.

2. MEETINGS GENERALLY

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **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.**
- b **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.**
- c **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**
- d **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.**
- e 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.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 10 minutes unless

directed by the chair of the meeting.

- g Subject to standing order 3(f), a member of the public shall not speak for more than 2 minutes.
- h 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 chair of the meeting may direct that a written or oral response be given.
- i A person shall raise his/her/their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chair of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- l **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.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **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.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- r **The chair 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/her/their casting vote whether or not he/she/they gave an original vote.

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

- s **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/her/their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

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

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

- u **A councillor or a non-councillor with voting rights who has a**
- **disclosable pecuniary interest or another interest as set out in the**
- **Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her/their right to participate and vote on that matter.**

- v **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.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **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.

- x A meeting shall not exceed a period of 2 hours.

3. COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 5 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;
 - x. shall determine if the public and press are permitted to attend the

meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;

- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

4. ORDINARY COUNCIL MEETINGS

- a **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.**
- b **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.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **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.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair**

of the Council and shall give a casting vote in the case of an equality of votes.

- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chair 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 Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. 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;
 - xiii. Review of inventory of land and other assets including buildings and office equipment;
 - xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xv. Review of the Council's and/or staff subscriptions to other bodies;
 - xvi. Review of the Council's complaints procedure;
 - xvii. 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*);

- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

5. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair 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.**
- c The chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the chair of a committee or a sub-committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

6. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 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.
- b 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.

7. VOTING ON APPOINTMENTS

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

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

- a A motion shall relate to the responsibilities of the meeting 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.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d 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 4 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chair 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.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

9. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close the meeting.

10. MANAGEMENT OF INFORMATION

See also standing order 20.

- a **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.

- b **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).**
- c **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.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

11. DRAFT MINUTES

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chair 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/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e **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.**

- f 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.

12. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she/they 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/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c Unless he/she/they 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/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), 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.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**

- i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. **it is otherwise appropriate to grant a dispensation.**

13. CODE OF CONDUCT COMPLAINTS

- a 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.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair 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).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary 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.**

14. PROPER OFFICER

a 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.

b The Proper Officer shall:

- i. **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).**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 4 days before the meeting confirming his/her/their withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. 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;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

- xi. 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);
- xii. arrange for legal deeds to be executed;
(*see also standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in his/her/their absence the Vice-Chair (if there is one) of the Council 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;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(*see also standing order 23*).

15. RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

16. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c 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:

- i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. 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.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. 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
 - ii. 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.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or 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.

17. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special

circumstances are exempt from a tendering process or procurement exercise.

- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **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 referred to in standing order 18(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. 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:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. 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;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. 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;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC’s procurement guidance contains further details.**

18. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chair of the Council or, if he/she/they is not available, the vice-chair of of absence occasioned by illness or other reason and that person shall report such absence to at its next meeting.
- c The chair of the Council or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chair of the Council or in his/her/their absence, the vice-chair of in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chair or vice-chair of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

19. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a **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.**

20. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **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.**
- e **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.**
- f **The Council shall maintain a written record of its processing activities.**

21. RELATIONS WITH THE PRESS/MEDIA

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

22. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), 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 OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

24. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

25. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one 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.
- b 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 3 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

Irby upon Humber Parish Council Financial Regulations

Adopted: 24 August 2024

To be reviewed: May 2024

General	2
Accounting and audit (internal and external)	4
Annual estimates (budget) and forward planning	6
Budgetary control and authority to spend	6
Banking arrangements and authorisation of payments	8
Instructions for the making of payments	9
Payment of salaries	12
Loans and investments	13
Income	13
Orders for work, goods and services	14
Contracts	15
[Payments under contracts for building or other construction works]	17
[Stores and equipment]	17
Assets, properties and estates	17
Insurance	18
[Charities]	18
Risk management	19
Suspension and revision of Financial Regulations	19

These Financial Regulations were adopted by the council at its meeting held on 24 August 2023.

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 orders¹ 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 this council and these regulations will apply accordingly.

1.9. The RFO;

- acts under the policy direction of the council;
- administers the council's financial affairs in accordance with all Acts, Regulations and proper practices;
- determines on behalf of the council its accounting records and accounting control systems;

¹ Model Standing Orders for Councils (2018 Edition) is available from NALC (©NALC 2018)

- 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 [£5,000]; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

1.15. In these financial regulations, references to the Accounts and Audit Regulations or 'the regulations' shall mean the regulations issued under the provisions of section 27 of the Audit Commission Act 1998, or any superseding legislation, and then in force unless otherwise specified.

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. Each committee (if any) shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the council not later than the end of November each year including any proposals for revising the forecast.

3.2. The RFO must each year, by no later than the end of April, 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.

3.3. The council shall consider annual budget proposals in relation to the council's three year forecast of revenue and capital receipts and payments including recommendations for the use of reserves and sources of funding and update the forecast accordingly.

3.4. The council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

3.5. The approved annual budget shall form the basis of financial control for the ensuing year.

4. Budgetary control and authority to spend

4.1. Expenditure on revenue items may be authorised up to the amounts included for that class of expenditure in the approved budget. This authority is to be determined by:

- the council for all items over £500;
- a duly delegated committee of the council for items over £200; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £200.

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 appropriate 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, or duly delegated committee. 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 other budget headings or to an earmarked reserve as appropriate ('virement').

4.3. Unspent provisions in the revenue or capital budgets for completed projects shall not be carried forward to a subsequent year.

4.4. The salary budgets are to be reviewed at least annually in October 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 or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

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.

4.7. All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts.

4.8. The RFO shall regularly provide the council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose "material" shall be in excess of £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; banking arrangements may not be delegated to a committee. 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 [or Finance Committee] meeting.

5.5. The Clerk and 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], 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. In respect of grants a duly authorised committee shall approve expenditure within any limits set by council and in accordance with any policy statement approved by council. Any Revenue or Capital Grant in excess of £5,000 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.

5.11. Any changes in the recorded details of suppliers, such as bank account records, shall be approved in writing by a Member.

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, a duly delegated committee or, if so delegated, the Clerk or RFO shall give instruction that a payment shall be made.

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

6.4. Cheques or orders for payment drawn on the bank account in accordance with the schedule as presented to council or committee shall be signed by [one] two member[s] of council [and countersigned by the Clerk,] in accordance with a resolution instructing that payment. A member who is a bank signatory, having a connection by virtue of family or business relationships with the beneficiary of a payment, should not, under normal circumstances, be a signatory to the payment in question.

6.5. To indicate agreement of the details shown on the cheque or order for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.

6.6. Cheques or orders for payment shall not normally be presented for signature other than at a council or committee meeting (including immediately before or after such a meeting). Any signatures obtained away from such meetings shall be reported to the council at the next convenient meeting.

6.7. If thought appropriate by the council, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit provided that the instructions are signed by two members and any payments are reported to council as made. The approval of the use of a variable direct debit shall be renewed by resolution of the council at least every two years.

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise

evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the council at least every two years.

6.9. If thought appropriate by the council, payment for certain items may be made by BACS or CHAPS methods provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised bank signatories, are retained and any payments are reported to council as made. The approval of the use of BACS or CHAPS shall be renewed by resolution of the council at least every two years.

6.10. If thought appropriate by the council payment for certain items may be made by internet banking transfer provided evidence is retained showing which members approved the payment.

6.11. Where a computer requires use of a personal identification number (PIN) or other password(s), for access to the council's records on that computer, a note shall be made of the PIN and Passwords and shall be handed to and retained by the Chairman of Council in a sealed dated envelope. This envelope may not be opened other than in the presence of two other councillors. After the envelope has been opened, in any circumstances, the PIN and / or passwords shall be changed as soon as practicable. The fact that the sealed envelope has been opened, in whatever circumstances, shall be reported to all members immediately and formally to the next available meeting of the council. This will not be required for a member's personal computer used only for remote authorisation of bank payments.

6.12. 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.

6.13. 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.

6.14. The council, and any members using computers for the council's financial business, shall ensure that anti-virus, anti-spyware and firewall software with automatic updates, together with a high level of security, is used.

6.15. Where internet banking arrangements are made with any bank, the Clerk [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.

6.16. 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.

6.17. 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 [two of] the Clerk [the RFO] [a member]. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk and the RFO and will also be restricted to a single transaction maximum value of £200 unless authorised by council in writing before any order is placed.

6.19. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the council. Transactions and purchases made will be reported to the council and authority for topping-up shall be at the discretion of the council.

6.20. Any corporate credit card or trade card account opened by the council will be specifically restricted to use by the Clerk and RFO and shall be subject to automatic payment in full at each month-end. Personal credit or debit cards of members or staff shall not be used under any circumstances.

6.21. 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 or RFO (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. Each and every payment to employees of net salary and to the appropriate creditor of the statutory and discretionary deductions shall be recorded in a separate confidential record (confidential cash book). This confidential record is not open to inspection or review (under the Freedom of Information Act 2000 or otherwise) other than:

- a) by any councillor who can demonstrate a need to know;
- b) by the internal auditor;
- c) by the external auditor; or
- d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. 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.

7.6. An effective system of personal performance management should be maintained for the senior officers.

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.

8.2. Any financial arrangement which does not require formal borrowing approval from the Secretary of State/Welsh Assembly Government (such as Hire Purchase or Leasing of tangible assets) shall be subject to approval by the full council. In each case a report in writing shall be provided to council in respect of value for money for the proposed transaction.

8.3. The council will arrange with the council's banks and investment providers for the sending of a copy of each statement of account to the Chairman of the council at the same time as one is issued to the Clerk or RFO.

8.4. 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.

8.5. The council shall consider the need for an Investment Strategy and Policy which, if drawn up, shall be in accordance with relevant regulations, proper practices and guidance. Any Strategy and Policy shall be reviewed by the council at least annually.

8.6. All investments of money under the control of the council shall be in the name of the council.

8.7. All investment certificates and other documents relating thereto shall be retained in the custody of the RFO.

8.8. 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.

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.

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.

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 Regulations².

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.

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 in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

² The Regulations require councils to use the Contracts Finder website to advertise contract opportunities, set out the procedures to be followed in awarding new contracts and to publicise the award of new contracts

³ Thresholds currently applicable are:

- a) For public supply and public service contracts 209,000 Euros (£181,302)
- b) For public works contracts 5,225,000 Euros (£4,551,413)

f) All sealed tenders shall be opened at the same time on the prescribed date by the Clerk in the presence of at least one member of council.

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders 17d and shall refer to the terms of the Bribery Act 2010.

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; where the value is below £500 and above £200 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, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

12. Assets, properties and estates

121. 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.

12.2. 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.

12.3. 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).

12.4. 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).

12.5. Subject only to the limit set in Regulation 14.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

12.6. 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. Insurance

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

13.3. The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it.

13.4. 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.

13.5. 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.

14. Risk management

14.1. 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.

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

15. Suspension and revision of Financial Regulations

15.1. 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.

15.2. 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.

IRBY UPON HUMBER PARISH COUNCIL

CODE OF CONDUCT

Adopted: 24 August 2023

To be reviewed: May 2024

1. INTRODUCTION

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area, taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

2. DEFINITIONS

For the purposes of this Code of Conduct, a "councillor" means a member or co-opted member of a local authority or a directly elected mayor. A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "local authority" includes North East Lincolnshire Council and all parish, village and town councils in the Borough of North East Lincolnshire.

3. GENERAL PRINCIPLES OF COUNCILLOR CONDUCT

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the Seven Principles of Public Life, also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

4. APPLICATION OF THE CODE OF CONDUCT

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at planning site visits
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

5. STANDARDS OF COUNCILLOR CONDUCT

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

5.1 Respect

As a councillor:

5.1.1 I treat other councillors and members of the public with respect.

5.1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

5.2 Bullying, harassment and discrimination

As a councillor:

5.2.1 I do not bully any person.

5.2.2 I do not harass any person.

5.2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

5.3 Impartiality of officers of the council

As a councillor:

5.3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they

have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

5.4 Confidentiality and access to information

As a councillor:

5.4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

5.4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

5.4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5.5 Disrepute

As a councillor:

5.5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than

that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

5.6 Use of position

As a councillor:

5.6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others.

However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

5.7 Use of local authority resources and facilities

As a councillor:

5.7.1 I do not misuse council resources.

5.7.2 I will, when using the resources of the local authority or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

5.8 Complying with the Code of Conduct

As a Councillor:

5.8.1 I undertake Code of Conduct training provided by my local authority.

5.8.2 I cooperate with any Code of Conduct investigation and/or determination.

5.8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

5.8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

5.9 Interests

As a councillor:

5.9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority . You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is

seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

5.10 Gifts and hospitality

As a councillor:

5.10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

5.10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

5.10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

6. EXEMPT CATEGORIES

6.1 Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a prejudicial interest that relates to the functions of the Authority in respect of -

6.1.1 housing, where you are a tenant of the Authority provided that those functions do not relate particularly to your tenancy or lease;

6.1.2 school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent

- governor of a school, unless it relates particularly to the school which the child attends;
- 6.1.3 statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - 6.1.4 an allowance, payment or indemnity given to Members;
 - 6.1.5 any ceremonial honour given to Members; and
 - 6.1.6 setting council tax or a precept under the Local Government Finance Act 1992.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B - Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“Disclosable Pecuniary Interest” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in **Table 1**) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative or close associate; or
 - c. a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.

8. Where a matter (referred to in paragraph 8 above) affects the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council — (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. ‘Land’ excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer
Corporate tenancies	Any tenancy where (to the councillor’s knowledge)—

	(a) the landlord is the council; and (b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where— (a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and (b) either— (i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

You must register as an Other Registerable Interest:

- a) any unpaid directorships
- b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- c) any body
 - (i) exercising functions of a public nature
 - (ii) directed to charitable purposes or
 - (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which you are a member or in a position of general control or management

PAPER D – AUDIT AND FINANCIAL MEETERS INCLUDING EXPENDATURE

Report prepared for:	Full Council
Report Date:	14 August 2023
Report Status:	Open
Report prepared by:	Tom Clay, Executive Officer of ERNLLCA
Recommendations:	At section 4 of the report

1.0 Introduction

- 1.1 The report contains several items relating to the audit or financial matters which the Council should note or consider.

2.1 Items to note

2.1 Precept

- 2.2 In the 2022/23 financial year North East Lincolnshire Council (NELC) anticipated a precept for the Parish Council's. The legislation which allowed for this is The Billing Authorities (Anticipation of Precepts) Regulations 1992.
- 2.3 The precept of £2,832 for the last financial year is currently held in a reserve by NELC. This was because no bank details could be confirmed for a transfer. Once the Parish Council provides bank details the reserves could be passed on. This would in effect give the Parish Council a 'precept' of sorts to work with in the current financial year.
- 2.4 The Parish Council did not make a precept requested for the current (2023/24) financial year. It therefore today has a precept of £0.
- 2.5 There is no budget for the current financial year. This will need to be agreed by the Parish Council in due course.
- 2.6 A budget and a precept will also be required for the next financial year.

2.7 Public Interest Reports

- 2.8 Members should note that two Public Interest Reports (PIR) have been made in relation to the Council. These can be found on the following pages:
- [PIR dated 17 December 2021](#)
 - [PIR dated 31 March 2021](#)

- 2.9 The Parish Council cannot claim exemption from the External Audit as it has incurred the Public Interest Reports.
- 2.10 A chasing letter (Appendix A) sent by SAAA sets out the particulars, including the charge, and gives rise to an additional £40 administration charge:

Irby Upon Humber Parish Council will not be able to certify itself as exempt in relation to the 2023/24 AGAR;

Irby Upon Humber Parish Council will be required to submit an AGAR for 2023/24 to the auditor for review, irrespective of whether the authority submits either the AGAR Form 3 or the Certificate of Exemption for 2022/23 in response to the statutory recommendation;

A charge accrues based on the authority's last known expenditure banding – the minimum charge is £210 plus VAT."

3.0 Items to consider

3.1 SAAA outstanding debt

- 3.2 Council to consider the payment of £1,152.00 to SAAA. The organisation is content to discuss payment arrangements if required.

- 3.3 SAAA have provided the following explanation (Invoices at appendix B):

"The debt outstanding is £1,152.00 which represents unpaid statutory auditor fee invoices to PKF Littlejohn from audit years 2019/20 and 2020/21 (invoices attached).

These were incurred as the auditor issued Public Interest Reports to the Council for failing to submit Annual Governance and Accountability Returns for the years ending 31 March 2020 and 31 March 2021.

A 'Letter before Claim' was issued by Solicitors in June 2022, however legal proceedings could not be issued as there was no Council on which to serve them.

It is to be hoped that payment will be forthcoming from the reconstituted Council in due course without having to serve proceedings."

3.4 Appointment of an Internal Auditor

- 3.5 Smaller authorities are required by the [Accounts and Audit Regulations 2015](#) to:

"Undertake an effective internal audit to evaluate the effectiveness of its risk management, control and governance processes, taking into account public sector internal auditing standards or guidance'."

- 3.6 An internal auditor should have the relevant knowledge of the public sector. There are a further two key principles an authority must follow in appointing an internal audit provider: independence and competence.
- 3.7 In our area the Parish Council could consider Mr Brian Brooks. He is based in North Lincolnshire and has a considerable amount of experience in both local government and the Internal Audit process. He provides an internal audit services to many local councils in the ERNLLCA area.
- 3.8 Council to consider appointing Mr Brooks as its Internal Auditor.

3.9 Membership of ERNLLCA

- 3.10 Council to consider membership of the East Riding and Northern Lincolnshire Local Council Association (ERNLLCA).
- 3.11 Parish Council to consider membership of a year and half up to May 2025. The total cost would be £299.53. This includes fees of:
- £116.67 for the period 1 August 2023 to 31 March 2024
 - £182.86 for the period 1 April 2024 to 31 March 2025
- 3.12 This is being proposed because the Council is joining comparatively late in the year. It is also currently receiving considerable support from ERNLLCA.

4.0 Recommendation

- 4.1 It is recommended that:
- i. Council to note the items in section 2 of the report.
 - ii. Council to consider the items at section 3 of the report as follows:
 - Approval payment of £1,152.00 to SAAA to cover its outstanding debts;
 - Appointment of Mr Brian Brooks as the Parish Council's Internal Auditor, and;
 - Membership of ERNLLCA for one and half years at a cost of £299.53.

APPENDIX A PAPER D



DDI:
+44 (0)20 7516 2200

Email:
sba@pkf-l.com

Date:
14 August 2023

Our Ref:
HU0134

SAAA Ref:
SB04677



Irby Upon Humber Parish Council



FAO: Chair

Irby Upon Humber Parish Council
Outstanding information for the year ending 31 March 2023

Dear Chair

The Local Audit and Accountability Act 2014 (the Act) requires that the accounts of smaller authorities are made up each year to 31 March. Irby Upon Humber Parish Council is required by law:

- to prepare Accounting Statements for the year ended 31 March 2023 in the form required by proper practices by proper practices (the Annual Governance and Accountability Return – AGAR);
- to approve and publish the AGAR including the Accounting Statements;
- to provide for the exercise of public rights of inspection.

Unless the smaller authority certifies itself as exempt from the requirement to have the AGAR reviewed by the external auditor, it is required to submit the AGAR Form 3 to its appointed external auditor for review. We are the appointed auditors to Irby Upon Humber Parish Council and have yet to obtain the approved AGAR Form 3 and associated documentation so that the review process may commence.

It is possible that Irby Upon Humber Parish Council has certified itself exempt, but has failed to submit a copy of the Certificate of Exemption. To claim exemption from a review, the Local Audit (Smaller Authorities) Regulations 2015 require that the smaller authority certifies itself exempt, but also notifies the 'specified person' that they have done so (Regulation 6). The specified person, currently Smaller Authorities' Audit Appointments Ltd (SAAA), has contractually agreed that the appointed auditors will be responsible for receiving notification by way of a completed Certificate of Exemption.

It is possible that Irby Upon Humber Parish Council has advised us that it will be delayed in submitting the AGAR Form 3 or a copy of the Certificate of Exemption to us, however delays past 31 July 2023 result in a reminder and associated charge.

¹ Proper practices are set out in *Governance and Accountability for Smaller Authorities in England*, which is approved by the Joint Panel on Accountability and Governance (JPAG) and published jointly by the Society of Local Council Clerks (SLCC), the National Association of Local Councils (NALC) and the Association of Drainage Authorities (ADA).

APPENDIX A PAPER D

Our detailed instructions are available on our website¹ and set out the information to be submitted to us for our review of the AGAR of Irby Upon Humber Parish Council for the year ended 31 March 2023. The submission date by which we were due to receive your documentation was 03 July 2023. We wrote to your Clerk again on 17 July 2023 chasing for these documents. As we have not yet received a Certificate of Exemption, we are required to proceed on the basis that Irby Upon Humber Parish Council is not exempt with regard to the 2022/23 AGAR.

Please arrange for the immediate completion and return of the relevant documents so we may carry out our review procedures; wherever possible please submit your documents by email to sba@pkf-l.com.

If we do not receive a response to this letter within 21 days, we will need to consider exercising our formal powers by issuing a written statutory recommendation under Schedule 7 of the Act for the authority to submit to us either an approved AGAR Form 3 or a copy of the Certificate of Exemption.

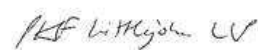
Following the issue of a statutory recommendation, an authority must hold a public meeting within one month to discuss and agree its response to the auditor.

Please note that if a statutory recommendation is issued:

- **Irby Upon Humber Parish Council will not be able to certify itself as exempt in relation to the 2023/24 AGAR;**
- **Irby Upon Humber Parish Council will be required to submit an AGAR for 2023/24 to the auditor for review, irrespective of whether the authority submits either the AGAR Form 3 or the Certificate of Exemption for 2022/23 in response to the statutory recommendation;**
- **A charge accrues based on the authority's last known expenditure banding – the minimum charge is £210 plus VAT.**

In accordance with the terms set out in our instructions and in the guidance on the AGAR forms, this second chaser letter gives rise to an administration charge of £40 plus VAT for active smaller authorities. All charges will be included in the invoice sent to you with the signed External Auditor Report for those authorities subject to our review, or for exempt authorities, following submission of the Certificate of Exemption.

We urge you to submit either your approved AGAR Form 3 or Certificate of Exemption within 21 days of the date of this letter to avoid the additional costs and consequences outlined above.



PKF Littlejohn LLP
cc Monitoring Officer, NALC County Association and SLCC Branch Secretary (local councils only)

¹ Link to detailed instructions here: <https://www.pkf-l.com/services/limited-assurance-regime/useful-information-and-links/>

Irby Upon Humber Parish Council

Our Ref HU0134
SAAA Ref SB04677
Invoice no: SB20204608

VAT no: GB 440 4982 50

Email sba@pkf-l.com

30 June 2021

INVOICE

Professional services rendered in connection with the following:

Limited assurance review of Annual Governance & Accountability Return for year ended 31 March 2020	£0.00
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Additional charges (where applicable)	£480.00
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Additional fees (where applicable)	£0.00
------------------------------------	-------

TOTAL NET	£480.00
-----------	---------

VAT @ 20%	£96.00
-----------	--------

TOTAL PAYABLE	£576.00
---------------	---------

PAYMENT IS DUE ON RECEIPT OF INVOICE

For payments by cheque, please return the remittance advice with your payment to:
PKF Littlejohn LLP, Credit Control (SBA), 5th Floor, 15 Westferry Circus, Canary Wharf, London E14 4HD

For payments by credit transfer, our bank details are:-

Irby Upon Humber Parish Council

Our ref HU0134
 Your ref SB04677
 Invoice no: SB20214466
 VAT no: GB 440 4982 50

Email sba@pkf-l.com

18 February 2022

INVOICE

Professional services rendered in connection with the following:

Limited assurance review of Annual Governance & Accountability Return for year ended 31 March 2021	£0.00
Additional charges (where applicable)	£480.00
Additional fees (where applicable)	£0.00
TOTAL NET	£480.00
VAT @ 20%	£96.00
TOTAL PAYABLE	£576.00

PAYMENT IS DUE ON RECEIPT OF INVOICE

**For payments by cheque, please return the remittance advice with your payment to:
 PKF Littlejohn LLP, Credit Control (SBA), 5th Floor, 15 Westferry Circus, Canary Wharf,
 London E14 4HD**

For payments by credit transfer, our bank details are:-

PAPER E – 11 ARRANGEMENTS FOR THE RECRUITMENT AND APPOINTMENT OF A CLERK (PROPER OFFICER AND THE RESPONSIBLE FINANCIAL OFFICER (RFO))

Report prepared for: Full Council
Report Date: 14 August 2023
Report Status: Open
Report prepared by: Tom Clay, Executive Officer of ERNLLCA
Recommendations: At section 3 of the report

1.0 Introduction

- 1.1 The report contains several items relating to the audit or financial matters which the Council should note or consider.

2.0 Items for consideration

- 2.1 For most Parish Councils the Proper Officer and RFO is normally the Clerk.
- 2.2 The title and role of the 'Proper officer' is set out in legislation. It refers to the appropriate officer for the relevant function.
- 2.3 They are the officer that is responsible for the discharge of a council's functions. For instance, issuing summons, having a role in the AGAR process, and signing various documents.
- 2.4 The Parish Council needs to appoint an officer to the position of RFO. They are responsible for the financial administration of the authority in accordance with Section 151 of the Local Government Act 1972.
- 2.5 The Council will therefore need to appoint an officer as the Proper Officer and RFO. There are two options:

I. A councillor undertakes the role without remuneration.

Local Government Act 1972 Section 112(5) *"A parish or community council may appoint one or more persons from among their number to be officers of the council, without remuneration."*

Just to be clear this would be an unpaid position. To achieve the above a parish council should create an unpaid office before a councillor is appointed to it.

Appointing a councillor to be an officer of the council is not usually advised. This is because a clerk must be independent and answerable

to the whole council. If done it should ideally be on a temporary basis while a locum or permanent clerk is sought.

- II. **Council seeks a 'locum clerk'**. This is a temporary clerk that fulfils the role while a permanent clerk is sought.

However, if the position is to be paid then the Council will still need to consider and set out rates of pay and contractual matters. This leads to questions in the section below relating to recruitment.

2.6 Recruitment of a Clerk

- 2.7 To recruit to the role of Clerk the Parish Council will need to consider pay as well as the terms and conditions of employment.
- 2.8 Council should consider setting out the job description and person specification. This would then be followed by consideration of the pay. Finally, a job advert could be set.
- 2.9 The following has been attached as appendices to assist the Parish Council in consider of the matters above:
 - Template job description and person specification (Appendix A)
 - Current clerk's pay scale for 2022/23 (Appendix B)
 - Template job advert (Appendix C)

3.0 Recommendation

- 3.1 It is recommended that Council consider the following:
 - I. Council considers what temporary arrangements for the appointment of a Proper officer and RFO.
 - II. Council considers the recruitment, pay and terms of conditions for the role of Clerk (including Proper Officer and RFO). This could be on either a temporary or permanent basis.

JOB DESCRIPTION

Job Title: [Insert job title here]	
Scale point/s: []	
Overall Purpose of Job: The postholder is the Proper Officer of the Council and as such is under a statutory duty to carry out all of the functions, and in particular to serve or issue all the notifications required by law, of a local authority's Proper Officer. The [insert job title] is responsible for ensuring that the instructions of the Council in connection with its functions as a local authority are carried out. The postholder is expected to: • advise the Council on and assist in the formation of policies; • to produce all the information required for the making of effective decisions; and • to implement constructively all decisions. The postholder is accountable to the Council, not to individual members, for the effective management of all of its resources and staff, and will report on such matters to the Council as and when required or through any committee system appointed by Council. The post holder will also act as Responsible Financial Officer under the provisions of section 151 of the Local Government Act 1972. The main responsibilities of this post are contained in Section 18 of this Job Description.	
	Main Responsibilities: 1 To carry out all of the functions conferred on the Proper Officer by statute or by the Council. 2 To be responsible for ensuring that the statutory and other provisions governing the administration of the Council and its affairs are complied with. 3 To prepare the agendas for the annual calendar of meetings of the Council, its committees, and the Annual Parish/Town Meetings and to attend and prepare the minutes of such meetings. 4 To prepare the agenda for any extra-ordinary meeting of the Council called by the Chairman of the Council and to attend and prepare the minutes of such a meeting. 5 To receive hard-copy and electronic correspondence and documents on behalf of the Council and deal with such or bring such items to the attention of the Council. The post-holder will issue correspondence as a result of the instructions of, or the known policy of, the Council or where the post-holders has devolved authority to so do. 6 To study reports and other data on the activities of the Council and on matters bearing to those activities. Where appropriate, to seek advice from ERNLLCA, Officers of the Principal Authority, other specialists in particular fields or any other source the post-holder is of the opinion is appropriate. 7 The post-holder will be responsible for ensuring that all decisions of the Council, its committees and sub-committees are carried out accurately and as promptly as possible.

8	If so required by Council, or on their own initiative, to review and report on the policies of the Council and how effectively they are being implemented, having regard to value for money and benefit to the community.
9	To be responsible for supervision of other staff employed by the Council and ensuring that relevant statutory and contractual provisions covering the terms and conditions of employment of staff are observed.
10	If required by the Council, the post-holder will act as a representative of the Council at conferences, meetings, public enquiries and other similar events.
11	To be responsible for ensuring that any property is regularly inspected, maintained and adequately insured.
12	If required by the Council, the post-holder will attend such professional development events as are relevant to their role. In the normal course events the cost of training courses will be paid for by the Council.
13	If required by the Council, the post-holder will prepare and issue information about the activities of the Council to the press and other media organisations. The post-holder will keep a register of all statements given to the media.
14	To receive all information as may be required of members in respect of the Code of Conduct.
15	To manage all services operated by the Council.
16	To carry out functions arising out of authorities devolved to the post-holder by the Council.
17	Add any functions that are specific to your Council, e.g. managing services devolved from the principal authority, acting as Clerk to a charity of which the Council is sole trustee.
18	To fulfil the role of Responsible Financial Officer which will include the following: A. To prepare financial reports for the Council or an appropriate committee to show [monthly/quarterly] financial activity against budget, fund and investment balances, with financial statements reconciled to the Council's bank and investment accounts. B. To prepare a schedule of accounts to be authorised for payment. C. To prepare a schedule of accounts paid in the previous [month/quarter] under devolved authority. D. To produce a balanced set of annual accounts reconciled to the bank and investment accounts in accordance with Council policy and any regulatory or legislative standards. E. To prepare draft estimates for approval and make such recommendations as may be necessary in respect of the precept. F. To submit the precept to the billing authority and supply any breakdown requested. G. To bank regularly all money received by the council. H. To ensure that all money due to the council is invoiced and paid promptly. I. To manage cash flow and control investments and bank transfers. J. To manage an appropriate accounting system. K. To handle the overall management of payroll and payments made to HMRC and any other parties.

	L. To make [monthly/quarterly/annual] VAT returns and to deal with any VAT inspections. M. To produce accounts and records for internal and external audit in accordance with regulations. N. To monitor compliance with the council's financial regulations. O. To manage insurance risk. To process claims as necessary. To report annually to the council on insurance risk. P. To maintain the council's register of property, assets and investments.
Post holders will be expected to be flexible in undertaking the duties and responsibilities attached to their post and may be asked to perform other duties that reasonably correspond to the general character of their post and are commensurate with its level of responsibility. This job description is provided for guidance only and does not form part of the contract of employment. [Insert if necessary -The Council may require the post holder to undertake a check under the Disclosure and Barring Service where contact with vulnerable people may occur].	
Prepared by: [insert author e.g. personnel committee]	Date:
Agreed by: [Insert name of Council]	Date:
Received by Post-holder:	Date:

PERSON SPECIFICATION

Job Title: [Insert job title here]

Method of Assessment (MOA)

AF = Application Form

I = Interview

T = Test or exercise

ESSENTIAL CRITERIA	MOA
Knowledge and skills:	
Excellent organisational skills	AF, I
Ability to be able to communicate appropriately at all levels	AF, I
Ability to prioritise work and respond to changes in demand for services	AF, I
Ability to manage staff and resources	AF, I
Respect for confidential matters	AF, I
Experience or knowledge of accounting and preparation of financial statements (including estimates)	AF, I
Knowledge of local government in general	AF, I
Additional skills which may be required depending on the complexity of the post on offer [retain or delete as appropriate]	
Clear awareness of Government policies as they affect parish and town councils	AF, I
A highly developed level of political awareness	AF, I
Ability to deal with, and resolve, conflict situations	AF, I
Extensive knowledge of local government law, as it affects parish and town councils, and its application	AF, I
Ability to instigate and cope with change	AF, I
Knowledge of the law relating to charities and their activities	AF, I
Experience:	
Experience of dealing with public	AF, I
Experience or knowledge of the preparation of agendas and minutes	AF, I
Experience or knowledge of working with and advising service users	AF, I
Additional skills which may be required depending on the complexity of the post on offer [retain or delete as appropriate]	
Knowledge and experience of both strategic and operational management practices and processes	AF, I

Clear understanding of the procedural and financial legislation and practices governing parish and town councils	AF, I
Track record of managing change	AF, I
Experience of, or knowledge of, attracting external funding	AF, I
Education and training:	
High level of literacy and numeracy	AF, I
Possession of, or willingness to work towards obtaining, the Certificate in Local Councils Administration	AF, I
Proficient in the use of IT and appropriate operating systems	AF, I
Additional skills which may be required depending on the complexity of the post on offer [retain or delete as appropriate]	
Degree level qualification, or equivalent, in an appropriate discipline	AF, I
Working arrangements:	
Available to attend evening meetings	AF, I
Able to work from home [delete if inappropriate]	AF, I
Willingness to work both alone and as part of a team	AF, I
DESIRABLE CRITERIA	MOA
Skills and abilities:	
Ability to transfer skills learned in other sectors	AF, I
Experience:	
Experience of working with parish and town councils	AF, I
Additional skills which may be required depending on the complexity of the post on offer [retain or delete as appropriate]	
Experience of project management	AF, I
Experience of knowledge or working with charities	AF, I
Education and training:	
GCE 'O' Level, or equivalent, in Mathematics and English	AF, I
Qualification in Administration	AF, I
Additional skills which may be required depending on the complexity of the post on offer [retain or delete as appropriate]	
Appropriate management qualification	AF, I
Working arrangements:	
None	

2 November 2022

E02-22 | 2022-23 NATIONAL SALARY AWARD

The LGA has notified us they have come to an agreement on the new pay scales for 2022-23 to be implemented from 1 April 2022. Employers are encouraged to implement this pay award as swiftly as possible.

“Pay

Agreement has been reached on rates of pay applicable from 1 April 2022.

Employers are encouraged to implement this pay award as swiftly as possible.

Backpay for employees who have left employment since 1 April 2022

If requested by an ex-employee to do so, we recommend that employers should pay any monies due to that employee from 1 April 2022 to the employee's last day of employment.

When salary arrears are paid to ex-employees who were in the Local Government Pension Scheme (LGPS), the employer must inform its local LGPS fund. Employers will need to amend the CARE and final pay figures (if the ex-employee has pre-April 2014 LGPS membership) accordingly. Further detail is provided in [section 15 of the HR guide](#) which is available on the [employer resources section](#) of www.lgpsregs.org

The attached Annex lists the new pay scales for clerks and other employees employed under the terms of the model contract including SCPs 50 and above. These calculations are based on the changes agreed by the NJC. These should be retrospectively applied from 1 April 2022.

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ANNEX 1

	1 April 2021		1 April 2022		Scale Ranges
SCP	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
1	£18,333	£9.53	£20,258	£10.53	Below LC Scale (for staff other than clerks)
2	£18,516	£9.62	£20,441	£10.62	
3	£18,887	£9.82	£20,812	£10.82	
4	£19,264	£10.01	£21,189	£11.01	
5	£19,650	£10.21	£21,575	£11.21	LC1 (5-6) (below substantive range)
6	£20,043	£10.42	£21,968	£11.42	
7	£20,444	£10.63	£22,369	£11.63	LC1 (7-12) (substantive benchmark range)
8	£20,852	£10.84	£22,777	£11.84	
9	£21,269	£11.05	£23,194	£12.06	
10	£21,695	£11.28	£23,620	£12.28	
11	£22,129	£11.50	£24,054	£12.50	
12	£22,571	£11.73	£24,496	£12.73	
13	£23,023	£11.97	£24,948	£12.97	LC1 (13-17) (above substantive range)
14	£23,484	£12.21	£25,409	£13.21	
15	£23,953	£12.45	£25,878	£13.45	
16	£24,432	£12.70	£26,357	£13.70	
17	£24,920	£12.95	£26,845	£13.95	
18	£25,419	£13.21	£27,344	£14.21	LC2 (18-23) (below substantive range)
19	£25,927	£13.48	£27,852	£14.48	
20	£26,446	£13.75	£28,371	£14.75	
21	£26,975	£14.02	£28,900	£15.02	
22	£27,514	£14.30	£29,439	£15.30	
23	£28,226	£14.67	£30,151	£15.67	

	1 April 2021		1 April 2022		Scale Ranges
SCP	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
24	£29,174	£15.16	£31,099	£16.16	LC2 (24-28) (substantive benchmark range)
25	£30,095	£15.64	£32,020	£16.64	
26	£30,984	£16.10	£32,909	£17.10	
27	£31,895	£16.58	£33,820	£17.58	
28	£32,798	£17.05	£34,723	£18.05	
29	£33,486	£17.40	£35,411	£18.40	LC2 (29-32) (above substantive benchmark range)
30	£34,373	£17.87	£36,298	£18.87	
31	£35,336	£18.37	£37,261	£19.37	
32	£36,371	£18.90	£38,296	£19.90	
33	£37,568	£19.53	£39,493	£20.53	LC3 (33-36) (below substantive range)
34	£38,553	£20.04	£40,478	£21.04	
35	£39,571	£20.57	£41,496	£21.57	
36	£40,578	£21.09	£42,503	£22.09	
37	£41,591	£21.62	£43,516	£22.62	LC3 (37-41) (substantive benchmark range)
38	£42,614	£22.15	£44,539	£23.15	
39	£43,570	£22.65	£45,495	£23.65	
40	£44,624	£23.19	£46,549	£24.19	
41	£45,648	£23.73	£47,573	£24.73	
42	£46,662	£24.25	£48,587	£25.25	LC3 (42-45) (above substantive benchmark range)
43	£47,665	£24.77	£49,590	£25.77	
44	£48,857	£25.39	£50,782	£26.39	
45	£50,074	£26.03	£51,999	£27.03	
46	£51,334	£26.68	£53,259	£27.68	LC4 (46-49) (below substantive range)
47	£52,607	£27.34	£54,532	£28.34	
48	£53,768	£27.95	£55,693	£28.95	
49	£55,274	£28.73	£57,199	£29.73	

	1 April 2021		1 April 2022		Scale Ranges
SCP	£ per annum	* £ per hour	£ per annum	* £ per hour	Based on SCP
50	£56,658	£29.45	£58,583	£30.45	LC4 (50-54) (substantive benchmark range)
51	£58,070	£30.18	£59,995	£31.18	
52	£60,007	£31.19	£61,932	£32.19	
53	£61,938	£32.19	£63,863	£33.19	
54	£63,878	£33.20	£65,803	£34.20	
55	£65,831	£34.22	£67,756	£35.22	LC4 (55-62) (above substantive benchmark range)
56	£67,759	£35.22	£69,684	£36.22	
57	£69,712	£36.23	£71,637	£37.23	
58	£71,626	£37.23	£73,551	£38.23	
59	£73,441	£38.17	£75,366	£39.17	
60	£75,295	£39.13	£77,220	£40.14	
61	£77,193	£40.12	£79,118	£41.12	
62	£79,144	£41.14	£81,069	£42.14	

* Hourly Rates

As per the national agreement, hourly rates are calculated by dividing annual salary by 52 weeks and then by 37 hours. Please note that these hourly rates differ from those published by NJC for Principal Authorities as the calculation basis differs. Please also note that NJC have resolved to delete SCP 1 w.e.f. 1st April 2023



Getting your job adverts right first time

One of the services that ERNLLCA offer to member councils is advertisement of their positions on our website.

We often get asked about what should go in a job advert.

This document has been created to set out some of the things you should consider when drafting an advert.

Equality

According to the law you cannot usually refer to 'protected characteristics' (such as a person's sex or race) in a job advert. For instance 'Handyman' – this could discriminate against someone's sex

You should check that forms do not discriminate. For example, stating that the applicant must fill out the job application form in their own handwriting may discriminate against people with dyslexia.

Provide a description of the job

It is important to make clear what the job requirements are. This can be done through the following:

- job description
- job application form
- person specification
- information about the council

Tell applicants what you will need from them

You should provide information that tells applicants about what you will need from them. This usually includes:

- proof that they have the right to work in the UK
- whether they will need a reference
- Evidence of qualifications

Data protection

Keep data protection in mind on an application form. For instance, you will need to tell applicants how you'll use their personal information.

Make the advert engaging

Where possible try to add in some specific information about your council. It is particularly important to add in specific information about the role. When it comes to clerks no two positions are the same! Don't forget to advertise the 'soft benefits' such as flexible, working from home.

Divide desirable from essential

In the job description establish two clear lists. One of desirable attributes and another of essential ones. Most people will not find this off putting and it should make it more likely that a wider group of people can apply.

Where to get further resources from

ERNLLCA has a range of employment resources under the Employment Support section of the ERNLLCA website <https://ernllca.info/>

Example Vacancy Advert

Vacancy for a part-time Parish Clerk: ***Makebelieve Parish Council***

Makebelieve Parish Council has a vacancy for a ***Parish Clerk for 20 hours per week*** which encompasses the duties and responsibilities of Burial Clerk and Responsible Financial Officer.

Makebelieve is a small rural community comprising the village of Makebelieve and the hamlets of Nearby and Not-too-Far. There are 3000 residents, with an older demographic and a precept of £80,000.

The council usually meets ***once a month on every 3rd Tuesday at Makebelieve Village Hall, 7-9pm.***

Further information about the village can be found at www.makebelievedoesnotexist.gov.uk

The councillors work together to improve the village and environs, and welcome applications from people who can implement the decisions of the parish council effectively, monitor and balance accounts and assist with advising councillors when appropriate and undertaking research.

You should have a good standard of written English, attention to detail, experience of preparing accounts and administering meetings. You should be a good communicator, tactful and sensitive, particularly when acting as Burial Clerk.

Preference will be given to those who have a CiLCA qualification, or those who are willing to work towards it.

The hours are ***flexible and the work is predominantly home-based*** but will be required to attend all full parish council meetings in ***Makebelieve***.

We offer a Working from Home allowance and travel expenses for attendance away from your home base.

Payment is on the NJC scale as follows: ***X to X***

Annual Leave: You have ***? days*** (pro-rata) inclusive of normal bank holidays, ***increasing to ? days after 5 years' service***.

For a friendly and informative chat please contact ***X on X*** or email [***resources@makebelievedoesnotexist.gov.uk***](mailto:resources@makebelievedoesnotexist.gov.uk).

Job description and person specification, and application form can be obtained by emailing [***clerk@makebelievedoesnotexist.gov.uk***](mailto:clerk@makebelievedoesnotexist.gov.uk) or viewed on [***www.makebelievedoesnotexist.gov.uk***](http://www.makebelievedoesnotexist.gov.uk) apply by sending your application form to [***resources@makebelievedoesnotexist.gov.uk***](mailto:resources@makebelievedoesnotexist.gov.uk).

Closing date: ***Date, Month, Year***

Interview date: ***Date, Month, Year***

Job Advert Checklist

It is vital to get your recruitment process right to ensure retention of staff.

The following is a checklist that are essential for an advert for a Clerk vacancy contain:

- ☐ Council name
- ☐ Job title
- ☐ Job description
- ☐ Location or home working
- ☐ Salary and scale point or salary range
- ☐ Hours the person will be required to work per week or month
- ☐ Type of contract - Permanent or Fixed
- ☐ Number of meetings and details of when, where and frequency
- ☐ Specifics about the role – Responsible Financial Officer, Burial Clerk, minute taking, record keeping, legal advice, researcher, public facing, room hiring, etc
- ☐ Essential skills
- ☐ Any expectations on achieving qualifications (iLCA/CiLCA) and the timeframe for doing it in
- ☐ Contact which should include an email and phone number
- ☐ Information about how to access the Job description and Application form
- ☐ Closing date for applications

Extra information you may wish to include:

- ☐ Council logo
- ☐ Overview of the council (no. of councillors, precept, electorate etc)
- ☐ Benefits – pension scheme, expenses, working from home allowance, remuneration for undertaking iLCA and/or CiLCA.

What the council should provide on the first day of work:

- ☐ Contract (legal requirement as of 2020)
- ☐ Policies – grievance, disciplinary, lone working etc
- ☐ Induction pack
- ☐ Details of probation and/or appraisal process
- ☐ GDPR form
- ☐ New stater form details required for payment
- ☐ SLCC branch contact details
- ☐ ERNLLCA contact details