



LLANHARAN COMMUNITY COUNCIL

18 November 2020

To Members of the Audit Committee,

The next meeting of the Audit Committee will be held on Tuesday 24 November 2020 at 7.00pm.

The meeting will be held on a remote basis in accordance with the provisions of the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020.

The agenda will be as follows:

1. To welcome all attendees and receive any apologies for absence.
2. To receive any disclosures of personal and/or prejudicial interests from members in accordance with the Code of Conduct.
3. To approve as a true and accurate record the minutes of the meeting held remotely on Tuesday 3 November 2020 at 7.00pm and to note the Clerk's action report. **Appendix One**
4. To discuss any matters arising from the minutes.
5. An opportunity for members of the public to speak for up to 3-minutes on any item on the agenda – 24-hour notice required.
6. To review and discuss financial implications of the draft Standing Orders and Financial Regulations.
Appendix Two
7. To consider any items which the Chair considers should be discussed as a matter of urgency, or to be included on the agenda for the next meeting.



Members of the public and the press may attend and can obtain any documents referenced on the agenda prior to the meeting.

To request documents and or joining instructions contact clerk@llanharan-cc.gov.wales or 01443 231430 Monday to Friday 9.30am to 1.30pm

A handwritten signature in black ink, appearing to read 'C. Kennedy'.

Catherine Kennedy
Clerk to the Council/Responsible Financial Officer
18 November 2020



Minutes 3/11/2020

LLANHARAN COMMUNITY COUNCIL

AUDIT COMMITTEE

Minutes of the **Audit Committee** held by video link at 7pm on Tuesday 3 November, 2020 in accordance with the: Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020 - enabling meetings of local authorities held before 1st May 2021 to be held by means of remote attendance.

Present: Councillors: C Parker (Chair), R Lewis-Watkin (Deputy Chair), R Turner, B Stephens, W Thomas.

Apologies: D Morelli

Clerk to the Council/Responsible Financial Officer: Catherine Kennedy

Assistant Clerk/Project Officer: Leigh Smith

1. Welcome and apologies for absence

Apologies received from Cllr D Morelli.

2. Disclosures of personal and prejudicial interests

Cllr R Lewis-Watkin declared an interest in grant applications Brynna Football Club and Brynna Community Centre and Cllr R Turner declared an interest in Grant Applications Brynna Football Club and Bryncae Football Club.

3. Minutes

The minutes of the meeting held on 3 November 2020 by remote attendance were approved as an accurate record of events.

4. Matters Arising

There were no matters arising from the minutes.

5. Public Speaking

There were no members of the public in attendance.

6. Annual Financial Aid Applications

To consider applications for financial aid from the following organisations:

- a) Brynna Football Club - £800
- b) Brynna Doggy Bags (Brynna Community Centre) - £480
- c) Brynna OAP Association - £1000



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d) Bryncae Football Club – £499

e) Ynysmaerdy Community Centre – £1000

RECOMMENDATION

Council to accept all financial aid applications, except Ynysmaerdy Community Centre for which further information is required.

ACTION

The Clerk to request details of recent audited accounts and constitution from Ynysmaerdy Community Centre.

7. Covid-19 Financial Aid

The Chair of the Committee floated the possibility that community organisations may experience further financial hardship in the event of a continuing delay in the re-opening of premises.

ACTION

Include on the agenda for the January 2021 Audit meeting.

8. Review Standing Orders and Financial Regulations

The Chair of the Committee asked members to consider the draft papers, with a view to agreeing committee spending limits and powers. A discussion took place and as members were unable to come to a consensus, more time was requested to consider the limits.

ACTION

Without undue delay, the Clerk to arrange a follow up meeting to review the draft papers.

9. Council Expenditure

The Clerk presented a Council expenditure report for the financial year dated from 1st April 2020 to 31st October 2020. The report was reviewed and noted by members.

10. Community Infrastructure Levy

The Community Infrastructure Levy expenditure report presented by the Clerk to members was noted.

11. Asset Register

The Clerk presented the Council Asset Register which included the following additions: liability insurance for the Brynna and Llanharan War memorials, the purchase of a strimmer and a hedge cutter, the addition of the ride on tractor used to maintain the 3g sports pitch in Brynna, new park benches and planter containers. The register was noted by all present.



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12. Summer Baskets and Planters 2021

The Clerk presented quotes for the 2021 planting of the Summer hanging baskets and containers. She recommended that due to the high-quality displays of 2020 and the efficiency and co-operation of the current supplier that members agree to contract with the same supplier for 2021.

RECOMMENDATION

To contract with Boverton Nurseries for the provision of flowers and plants for the Summer 2021 hanging baskets and containers.

13. Matters of Urgency

The Chair of the Audit Committee informed members that due to previous problems with accessing electrical supplies and suitable lamp-posts, the village of Ynysmaerdy has for several years been without Christmas Lights and Summer baskets. Following a discussion with the Ynysmaerdy Community Centre Committee, the Clerk obtained quotes for the provision of 6 x 4ft Christmas trees, 6 sets of light strings and 2 outside electrical sockets, totalling **£922**. The Clerk advised that the £922 be provided from the Christmas Dinners budget as due to Covid-19 the 2020 dinners had been cancelled.

RECOMMENDATION

To accept the Committees recommendation to provide Ynysmaerdy with 6 x 4ft Christmas trees, 6 light strings and 2 outside sockets totalling £922.

The meeting ended at 8.15pm

**Councillor Chris Parker
Chair of the Audit Committee
Chair of the Council**



Llanharan Community Council

DRAFT FINANCIAL REGULATIONS

These Financial Regulations were adopted by the Council at its Meeting held on
[.....]



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Statement:

The Clerk of the Council and the Project Officer/Assistant Clerk are for the purpose of this document the Proper Officers of the Council.

The Clerk of the Council is the Responsible Financial Officer.

In the context of these Standing Orders the terms:

1. "RFO" refers to the Responsible Financial Officer.
2. "A.G.M." refers to Annual General Meeting.
3. "the Chair" refers to Chairperson of the Council and or Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.
4. "the Deputy Chair" refers to Deputy (or Vice) Chairperson of the Council and or Deputy (or Vice) Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.
5. "RCTCBC" refers to Rhondda Cynon Taf County Borough Council.



1. GENERAL

- 1.1. These financial regulations govern the conduct of financial management by the Council and may only be amended or varied by resolution of the Council. Financial regulations are one of the Council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the Council's standing orders and any individual financial regulations relating to contracts.
- 1.2. The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of internal control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk.
- 1.3. The Council's accounting control systems must include measures:
 - a. for the timely production of accounts,
 - b. that provide for the safe and efficient safeguarding of public money,
 - c. to prevent and detect inaccuracy and fraud and
 - d. identifying the duties of officers.
- 1.4. a 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 and may represent a breach in the Councillor's Code of Conduct.
- 1.8. The Responsible Financial Officer (RFO) holds a statutory office to be appointed by the Council. The Proper Officer has been appointed as RFO for this Council and these regulations will apply accordingly.



1.9. The RFO:

- a. acts under the policy direction of the Council.
- b. administers the Council's financial affairs in accordance with all Acts, Regulations and proper practices,
- c. determines on behalf of the Council its accounting records and accounting control systems,
- d. ensures the accounting control systems are observed,
- e. maintains the accounting records of the Council up to date in accordance with proper practices,
- f. assists the Council to secure economy, efficiency and effectiveness in the use of its resources and
- g. 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 comply with the Accounts and Audit (Wales) Regulations and to prepare additional or management information, as the case may be, to be prepared for the Council from time to time.

1.11. The accounting records determined by the RFO shall in particular contain:

- a. 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,
- b. a record of the assets and liabilities of the Council and
- c. 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:

- a. procedures to ensure that the financial transactions of the Council are recorded as soon as reasonably practicable and as accurately and reasonably as possible,
- b. procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records,



- c. identification of the duties of officers dealing with financial transactions and
 - d. division of responsibilities of those officers in relation to significant transactions,
 - e. 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
 - f. measures to ensure that risk is responsibly and effectively managed.
- 1.13. The Council is not empowered by these Regulations or otherwise to delegate certain specified decisions. Any decision regarding:
- a. setting the final budget or the precept (Council Tax Requirement),
 - b. approving accounting statements,
 - c. approving an annual governance statement,
 - d. borrowing,
 - e. writing off bad debts,
 - f. addressing recommendations in any report from the internal or external auditors,
 - g. shall be a matter for the full Council only.
- 1.14. In addition, the Council must:
- a. determine and keep under regular review the bank mandate for all Council bank accounts,
 - b. approve any grant over **[£5000]**
 - c. a single commitment in excess of **[£5,000]** and
 - d. 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 (Wales) Regulations or “the regulations” shall mean the regulations issued under the provisions of section 39 of the Public Audit (Wales) Act 2004, or any superseding legislation and then in force unless otherwise specified.



- 1.16. In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability for Local Councils in Wales - A Practitioners' Guide issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of One Voice Wales (OVW) and SLCC as appropriate.

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 (Wales) 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 Chair or a cheque signatory 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 (Wales) 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:
- a. be competent and independent of the financial operations of the Council,
 - b. report to Council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year,



- c. to demonstrate competence, objectivity, independence and be free from any actual or perceived conflicts of interest, including those arising from family relationships and
- d. not be involved in the financial decision making, management or control of the Council.

2.7. Internal or external auditors may not under any circumstances:

- a. perform any operational duties for the Council,
- b. initiate or approve accounting transactions or
- c. 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 Public Audit (Wales) Act 2004, or any superseding legislation, and the Accounts and Audit (Wales) 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 that has been delegated a budget shall review its three-year forecast of expenditure, receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Audit Committee 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 December, 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 Audit Committee for the recommendations thereof to be considered by Council, by no later than the end of January.

3.3. The Council shall consider annual budget proposals in relation to the Council’s three year forecast of expenditure, 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 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:

- a. the Council for any item costing [£5,000] or more except where previously and specifically delegated to a committee
- b. a duly delegated committee of the Council for any item costing over [£500] but less than [£5000] except where specifically delegated to that committee, or
- c. the Proper Officer, in conjunction with Chair of Council or Chair of the appropriate committee, for any item costing [£500] or less.

4.2. Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Proper Officer, and where necessary also by the appropriate Chair.

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

4.4. No expenditure may be authorised that will exceed the amount provided in the 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').

4.5. Unspent provisions in the budgets for completed projects shall not be carried forward to a subsequent year.

4.6. 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 schedule signed by the Proper Officer and the Chair 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.

4.7. In cases of extreme risk to the delivery of Council services, the Proper Officer may authorise revenue expenditure on behalf of the Council which in the Proper Officer'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 [£1000]. The Proper Officer shall report such action to the Chair as soon as possible and to the Council as soon as practicable thereafter.

4.8. 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:

- a. that the necessary funds are available and the requisite borrowing approval has been obtained.
- b. all capital works shall be administered in accordance with the Council's standing orders and financial regulations relating to contracts.

4.9. The RFO shall regularly provide the Audit committee (or such committee has directed by resolution of the Council) for the purpose of scrutiny, a statement of receipts and payments to date under each head of the budget, 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 15% of the budget. The Audit Committee (or such committee has directed by resolution of the Council) shall make its observations known to the next available Council meeting.

4.10. 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.

5.2. Banking arrangements may not be delegated to a committee.

5.3. They shall be regularly reviewed for safety and efficiency.



- 5.4. The Council shall seek credit references in respect of members or employees who act as signatories.
- 5.5. The RFO shall prepare a schedule of single payments of over [£5000] requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to Council.
- 5.6. 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 Chair 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.
- 5.7. 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 or authorised committee.
- 5.8. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading.
- 5.9. The RFO shall have the delegated authority to take all steps to raise payment:
- a. of all invoices submitted which are in order and where a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998 or the due date for payment is before the next scheduled Meeting of Council and/or delegated committee and where the RFO certifies that there is no dispute or other reason to delay payment provided a list of such payments shall be submitted to the next appropriate meeting of Council and/or authorised committee.
 - b. of an expenditure item authorised under 5.10 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
 - c. fund transfers within the Councils banking arrangements up to the sum of [£25,000], provided that a list of such payments shall be submitted to the next appropriate meeting of Council.
- 5.10. For each financial year the 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 or a duly authorised committee, may authorise payment for the year provided:

- a. that the requirements of Regulation 4.1 (Budgetary Controls) are adhered to
- b. a list of such payments made is submitted to the next appropriate meeting of Council and be signed by two members on each and every occasion - thus controlling the risk of duplicated payments being authorised and / or made.

5.11. 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.

5.12. Members are subject to the Code of Conduct that has been adopted by the Council and shall comply with the Code and Standing Orders when a decision to authorise or instruct payment is made in respect of a matter in which they have a disclosable or other interest, unless a dispensation has been granted.

5.13. The Council will aim to rotate the duties of members in these Regulations so that onerous duties are shared out as evenly as possible over time.

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

5.15. 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.

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 Proper Officer or RFO shall give instruction that a payment shall be made.

6.3. All payments shall, where possible and practical effected by electronic transfer (online banking, BACs, CHAPS)) or by cheque or other instructions to the Council's bankers, or otherwise, in accordance with a resolution of Council or duly delegated committee.



- 6.4. 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. If thought appropriate and in accordance with Regulation 5, payment by cheque:
- signed by two authorised signatories (at least one of which must be a member).
 - to indicate agreement of the details shown on the cheque for payment with the counterfoil and the invoice or similar documentation, the signatories shall each also initial the cheque counterfoil.
 - all such payments shall be reported to the Council at the next convenient meeting.
- 6.6. If thought appropriate and in accordance with Regulation 5, payment for utility supplies (energy, telephone and water) and any National Non-Domestic Rates may be made by variable direct debit:
- that the instructions are signed by two authorised signatories (at least one of which must be a member)
 - all such payments as made shall be reported to the Council at the next convenient meeting.
 - The approval of the use of a variable direct debit shall be renewed by resolution of the Council at least every two years.
- 6.7. If thought appropriate and in accordance with Regulation 5, 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 authorised signatories (at least one of which must be a member) are retained
 - all such payments as made shall be reported to the Council at the next convenient meeting.
 - the approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.
- 6.8. If thought appropriate and in accordance with Regulation 5, payment for certain items may be made by BACS or CHAPS methods:



- a. provided that the instructions for each payment are signed, or otherwise evidenced, by two authorised signatories (at least one of which must be a member) are retained
 - b. all such payments as made shall be reported to the Council at the next convenient meeting.
 - c. the approval of the use of BACS or CHAPS shall be renewed by resolution of the Council at least every two years.
- 6.9. If thought appropriate and in accordance with Regulation 5, payment for certain items may be made by internet banking transfer:
- a. provided evidence is retained showing which signatory assigned the payment and which signatory authorised the payment.
- 6.10. Where internet banking arrangements are made with any bank, the RFO shall be appointed as the Service Administrator.
- 6.11. The bank mandate approved by the Council shall identify at least 2 Councillors who will be authorised to approve transactions on those accounts.
- 6.12. 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.
- 6.13. 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 Chair 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.
- 6.14. 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.
- 6.15. 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.



- 6.16. 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.
- 6.17. 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.
- 6.18. 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 profoundly serious matter under these regulations.
- 6.19. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the RFO and a member. A programme of regular checks of standing data with suppliers will be followed.
- 6.20. Any Debit Card issued for use will be specifically restricted to the Proper Officer [and the RFO] and will also be restricted to a single transaction maximum value of [£500] unless authorised by Council or finance committee in writing before any order is placed.
- 6.21. A pre-paid debit card may be issued to employees with varying limits. These limits will be set by the Council [Finance Committee]. Transactions and purchases made will be reported to the [Council] [relevant committee] and authority for topping-up shall be at the discretion of the [Council] [relevant committee].
- 6.22. Any corporate credit card or trade card account opened by the Council will be specifically restricted to use by the RFO and shall be subject to automatic payment in full at each month-end.
- 6.23. [Personal credit or debit cards of members or staff shall not be used under any circumstances].
- 6.24. The Council will not maintain any form of petty cash float. All cash received must be banked intact. Any payments made in cash by any employee of the Council, for example for postage or minor stationery items, shall be refunded on a regular basis, at least quarterly. via a claim for expense.

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] [relevant committee].
- 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 Public Audit (Wales) Act 2004, 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 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 effected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council.



8.2. as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.

8.3. Any financial arrangement which does not require formal borrowing approval from the Welsh 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.

8.4. [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 Chair of the Council at the same time as one is issued to the RFO.]

8.5. 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.

8.6. 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.

8.7. All investments of money under the control of the Council shall be in the name of the Council.

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

8.9. 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 Proper Officer.



- 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 made in cash or by cheque, received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all such receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.
- 9.6. The origin of each receipt shall be entered on the paying-in slip.
- 9.7. Personal cheques shall not be cashed out of money held on behalf of the Council.
- 9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.
- 9.9. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.
- 9.10. Any income arising which is the property of a charitable trust shall be paid into a charitable bank account. Instructions for the payment of funds due from the charitable trust to the Council (to meet expenditure already incurred by the authority) will be given by the Managing Trustees of the charity, meeting separately from any Council meeting (see also Regulation 16 below).

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. The RFO shall draw up a list of approved contractors initially based on the list maintained by the Unitary Authority (Rhondda Cynon Taf CBC or its successor) and approved by Council and may make recommendations for contractors to be added to that list subject to an assessment of but by no means limited to, their performance and capability on providing previous similar works and or services, satisfactory references (if necessary), satisfactory safeguards against any liability due to faulty workmanship or any other mishap and proof of financial stability.
- 11.2. 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 goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.
 - b. The full requirements of The Public Contracts Regulations 2015 ("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) .
 - c. 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.



- d. Such invitation to tender shall state the general nature of the intended contract and the Proper Officer 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 Proper Officer 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.
- e. All seal tenders submitted are to be opened at the same time, after the stated closing date by the RFO in the presence of either the Chair or Deputy Chair of the Audit Committee, or in their absence by at least one other member of the Council.
- f. Any invitation to tender issued under this regulation shall be subject to Standing Orders 54 and shall refer to the terms of the Bribery Act 2010.
- g. When it is intended to enter into a contract 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 Regulation 11.1., where the value:
- is less than [£25,000] and greater than £5000 the RFO shall obtain 3 quotations (priced descriptions of the proposed supply)
 - is below [£5,000] and above [£500] the Proper Officer or RFO shall strive to obtain 3 estimates of the cost of proposed supply
 - otherwise, Regulation 10.3 above shall apply.
- h. The Council shall not be obliged to accept the lowest or any tender, quotation or estimate.
- i. Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision making process was being undertaken.
- 11.3. The Proper Officer shall maintain a register of personal interests, in respect of both members and senior staff.



- a. Members and senior staff should not, so far as is practicable, be involved in the award of orders and/or contracts with organisations or individuals in respect of which a personal interest exists, whether declared or not.
- b. Members and senior staff should not, so far as is practicable, be involved in the making or authorising payments in respect of orders and/or contracts with organisations or individuals in respect of which a personal interest exists, whether declared or not.

12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS

- 12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).
- 12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments.
- 12.3. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of [5%] or more a report shall be submitted to the Council.
- 12.4. Any variation to a contract or addition to or omission from a contract must be approved by the Council and:
 - a. The RFO to inform the contractor in writing.
 - b. the Council being informed where the final cost is likely to exceed the financial provision.

13. STORES AND EQUIPMENT

- 13.1. The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section.
- 13.2. Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made.
- 13.3. Stocks shall be kept at the minimum levels consistent with operational requirements.
- 13.4. The RFO shall be responsible for periodic checks of stocks and stores at least annually.



14. ASSETS, PROPERTIES AND ESTATES

- 14.1. The Proper Officer shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the Council.
- 14.2. 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 (Wales) Regulations.
- 14.3. 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 **£500**.
- 14.4. No real property (interests in land) shall be:
- a. 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).
 - b. 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).
- 14.5. Subject only to the limit set in Reg. 14.3. 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.
- 14.6. 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.



15.INSURANCE

- 15.1. Following the annual risk assessment (per Financial Regulation 17), the RFO shall effect all insurances and negotiate all claims on the Council's insurers in consultation with all other members of staff as appropriate.
- 15.2. All members of staff shall give prompt notification to the RFO of all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances.
- 15.3. The RFO shall keep a record of all insurances effected by the Council and the property and risks covered thereby and annually review it.
- 15.4. 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.
- 15.5. 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.

16.CHARITIES

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

17.RISK MANAGEMENT

- 17.1. The Council is responsible for putting in place arrangements for the management of risk. The Proper Officer [with the RFO] 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.
- 17.2. When considering any new activity, the Proper Officer [with the RFO] shall prepare a draft risk assessment including risk management proposals for consideration and adoption by the Council.

18.SUSPENSION AND REVISION OF FINANCIAL REGULATIONS

- 18.1. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time.



- 18.2. The RFO 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.
- 18.3. 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.

Notes .

Stated dates or months can be the subject of debate.

Wording within square brackets and highlighted in yellow require particular consideration and may be deleted if thought not to be relevant.

Numeric values within square brackets and highlighted in yellow e.g. [£500] in any of the paragraphs (other than the EU Procurement and Public Contract Regulations 2015 thresholds referred to in 11.1(k)) can be the subject of debate.

Acknowledgment to One Voice Wales as this draft is based upon their model Financial Regulations Wales 2019 document.



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Llanharan Community Council

Draft Standing Orders October 2020



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2. Statement:

i- The Clerk of the Council and the Project Officer/Assistant Clerk are for the purpose of this document, the Proper Officers of the Council.

ii- The Clerk of the Council is the Responsible Financial Officer.

iii- In the context of these Standing Orders the terms

a) “RFO” refers to the Responsible Financial Officer.

b) “A.G.M.” refers to Annual General Meeting.

c) “the Chair” refers to Chairperson of the Council and or Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.

d) “the Deputy Chair” refers to Deputy (or Vice) Chairperson of the Council and or Deputy (or Vice) Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.

e) “RCTCBC” refers to Rhondda Cynon Taff County Borough Council.



1. THE CHAIR.

- i- shall have all the powers and responsibilities referred to in these Standing Orders.
- ii- shall have the final decision to the interpretation and application of Standing Orders at any meeting and that decision should not be challenged.
- iii- shall, unless s/he has resigned, is unwell or unable to attend or becomes disqualified, continue in office and preside at the Annual Meeting until a successor is elected at the next Annual Meeting of the Council.

2. THE DEPUTY CHAIR.

shall, unless s/he has resigned, is unwell or unable to attend or becomes disqualified, continue in office until immediately after the election of the Chair of the Council at the next Annual Meeting of the Council.

3. NOTICE OF THE MEETING.

At least three clear days before the meeting, the Proper Officer shall give:

- a) public notice of the date, time, location and the agenda of the meeting duly signed by the Proper Officer, shall be posted on the Council's web site, displayed at the Council's office and displayed on the community notice boards and
- b) shall send the summons to attend the meeting detailing the date, time, location and the agenda duly signed by the Proper Officer, by e-mail to each Member, or shall leave at, or send by post to, each Member's usual place of residence.

4. QUORUM

- i- No business shall be transacted unless at least three or one third of the whole number of Members of the Council, Committee or Sub-Committee are present at the meeting.
- ii- If the meeting becomes inquorate no further business shall be transacted and any outstanding business shall be adjourned to the next or a reconvened meeting.

5. APPROVAL OF MINUTES

- i- the Chair shall put the question that the minutes of the Council or Committee or Sub-Committee or Working Group held on a specified date be approved as a correct record.



ii- no discussion shall take place on the minutes, except upon their accuracy and any question on their accuracy shall be raised by motion. If a question is raised, or if it is raised then as soon as it is disposed of, the Chair shall sign the minutes.

iii- 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 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 view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings."

iv- Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

6. TAKING OF MINUTES.

6.1. *Contents shall record: -*

- a) the names of the Members present
- b) the notified apologies for absence.
- c) a brief record of the matters considered.
- d) All motions and amendments moved under Standing Orders (if any).
- e) the recommendations and resolutions made

ii- there will be no report of any discussions which are not relevant to the above or the main business of the meeting.

7. CONDUCT

i- Any power or duty of the Chair in relation to the conduct of a meeting shall be exercised by the person presiding at the meeting whose decision shall be final

ii- Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall determine the order of speaking.

iii- Members shall direct their speeches only to the subject under discussion or to a personal explanation on a point of order and any person speaking shall address comments to the Chair

iv- Photographing, recording, broadcasting or transmitting the proceedings of a meeting is not permitted unless there is a legal requirement or agreement by the Council or by the Chair.

8. VOTING.

i- Any matter will be decided by a simple majority of votes by those Members present in the room at the time that the question is put. The Proper Officer will take the vote by show of hands or by a secret ballot, provided a motion for such a ballot



is put before any voting on a matter takes place. If there is no dissent by the affirmation of the meeting.

ii- If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

iii- Immediately after a vote has been taken a Member can request and require that their vote be recorded in the minutes to show how the Member voted or abstained.

iv- In the case of a Member being appointed or nominated to any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be removed from the list and a new vote taken. The process will continue until there is a clear majority for one person. Any tie shall be settled by the Chair's casting vote.

9. THE ANNUAL MEETING.

9.1. In an election year: -

i- The meeting shall be held on or within 14 days following the day on which the new Councillors take office at a location that the Proper Officer deems appropriate to hold such a meeting,

ii- if the current Chair has been re-elected as a Member of the Council and is present, s/he shall preside at the meeting until a new Chair has been elected. S/he may exercise an ordinary vote in respect of the election of a new Chair and must give a casting vote in the case of an equality of votes.

iii- if however the current Chair of the Council has not been re-elected as a Member of the Council and is present, s/he shall preside at the meeting until a successor has been elected and the current Chair shall not have an original vote in respect of the election of the new Chair but shall have a casting vote in the case of an equality of votes.

9.2. In a non-election year: -

i- the meeting shall be held on the third Thursday in May at 6.30pm at a location that the Proper Officer in conjunction with the current Chair deems appropriate to hold such a meeting.

ii- the current Chair shall preside at the meeting until a new Chair has been elected. S/he may exercise an ordinary vote in respect of the election of a new Chair and must give a casting vote in the case of an equality of votes.

9.3. In either an election year or non-election year: -

i- in the absence of the current Chair, the current Deputy Chair will take the Chair until a new Chair is elected.



In the absence of both the current Chair and Deputy Chair, the Proper Officer will conduct the meeting until a new Chair is elected. The Proper Officer will have no voting rights whatsoever.

9.4. Notice of the Meeting: –

Shall be in accordance with *Standing Order 3.*

9.5. Quorum: -

Shall be in accordance with *Standing Order 4.*

9.6. Order of Business: –

i- The following business shall be transacted: -

- a) in an election year, the confirmation by the Proper Officer of the receipt from Members of their Declaration of Acceptance of Office
- b) to note for information purposes, the minutes of the last Annual Meeting of the Council.
- c) to elect a Chair of the Council.
- d) to elect a Deputy Chair of the Council.
- e) to appoint Committees and Working Groups.
- f) to appoint the Chairs to individual Committees and Working Groups.
- g) to appoint representatives to serve on outside bodies.
- h) to agree the Chair of the Council's allowance for the ensuing year.
- i) to agree the Deputy Chairperson's allowance for the ensuing year.
- j) to agree the Senior Member's allowance for the ensuing year.
- k) To set the maximum total of motions required by written notice that can be considered by the Council in the municipal year,
- l) To set the maximum total of motions required by written notice that can be considered by the Council in any one ordinary meeting.
- m) to deal with other matters, where notice in writing has been given to the Proper Officer at least 6 calendar days before the meeting and which, at the discretion of the Proper Officer are appropriate to be considered at the Annual Meeting, otherwise those matters will be subject to Standing Order

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

9.7. Conduct: -

Shall be in accordance with *Standing Order 7.*

9.8. Voting: -

Shall be in accordance with *Standing Order 8.*

10. THE ORDINARY MEETINGS.

10.1. Date, Time and location of a meeting: -



The Council shall, each year, hold eleven meetings for the transaction of its business. These meetings will be held on the 3rd Thursday of every calendar month (excluding the month of August) at 7pm at a location that the Proper Officer in conjunction with the Chair deems appropriate to hold such a meeting and that during the course of the year at least one meeting shall be held within each ward of the Council and the Ynysmaerdy Community Centre.

10.2. Notice of the Meeting: –

Shall be in accordance with *Standing Order 3.*

10.3. Quorum: -

Shall be in accordance with *Standing Order 4.*

10.4. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:

- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d) If the meeting is the first meeting after the A.G.M. then to approve the minutes of the A.G.M. in accordance with *Standing Order 5.*
- e) To deal with any business expressly required by statute to be done
- f) Chair's announcements and reports from the two County Borough Members and other Members of the Council.
- g) To receive and consider reports and recommendations from Committees, Working Groups and Officers.
- h) To consider motions in the order in which they have been received and not withdrawn.
- i) To dispose of any remaining business that is listed on the agenda.
- j) To dispose of business (if any) remaining from the last meeting.

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

10.5. Taking of Minutes: -

Shall be in accordance with *Standing Order 6.*

10.6. Conduct: -

Shall be in accordance with *Standing Order 7.*

10.7. Voting: -



Shall be in accordance with *Standing Order 8.*

11. EXTRAORDINARY MEETINGS.

11.1. *The convening of a meeting may be actioned by: -*

- i- the Chair at any time.
- ii- the Chair when s/he receives a written request signed by two members.
- iii- any two members of the Council, where such a written request duly signed to call such a meeting is refused by the Chair, or that the Chair, without so refusing, failed to call an extraordinary meeting within seven days after the written request was made.

11.2. *Date, Time and Location of a meeting: -*

- i- the Proper Officer shall, in consultation with the Chair and or the signatories to the notice, decide a date time and location that is deemed appropriate to hold such a meeting.

11.3. *Notice of meeting: -*

Shall be in accordance with *Standing Order 3.*

11.4. *Quorum.*

Shall be in accordance with *Standing Order 4.*

11.5. *Order of Business: -*

- i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:
 - a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
 - b) To deal with any business expressly required by statute to be done
 - c) To receive and consider reports and recommendations from Committees, Working Groups and Officers relevant to the business at hand.
 - d) To consider motions in the order in which they have been received and not withdrawn.

- ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

11.6. *Taking of Minutes*

Shall be in accordance with *Standing Order 6.*

11.7. *Conduct:*

Shall be in accordance with *Standing Order 7.*



11.8. Voting:

Shall be in accordance with *Standing Order 8.*

12. COMMITTEES.

12.1. Formation: -

i- The Council may appoint a committee whose terms of reference and membership shall be determined at the A.G.M. or any other time at an ordinary meeting by resolution.

ii- The Council shall determine a committee's terms of reference and scope of work.

iii- The Council shall appoint and determine the terms of office of a Councillor or non-councillor member of such a Committee (unless the appointment of non-councillor is prohibited by law), so as to hold office no later than the next A.G.M.

iv- The Council shall determine the dates of future meetings subject to the Chair of any Committee cancelling a meeting because of lack of business or convening a special meeting to consider urgent business.

v- The Council may dissolve a Committee at any time.

12.2. Date, Time and Location of a meeting: -

i- Unless pre-set by the Council, the date and time shall be decided by the Proper Officer in consultation with the Chair of a Committee at a location that is deemed appropriate to hold such a meeting.

12.3. Notice of meeting: -

Shall be in accordance with *Standing Order 3.*

12.4. Quorum.

Shall be in accordance with *Standing Order 4.*

12.5. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:



- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d) To deal with any business expressly required by statute to be done.
- e) To receive and consider reports and recommendations from Subcommittees, Working Groups and Officers.
- f) To consider motions in the order in which they have been received and not withdrawn.
- g) To dispose of any remaining business that is listed on the agenda.
- h) To dispose of business (if any) remaining from the last meeting.

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

12.6. Taking of Minutes

Shall be in accordance with *Standing Order 6*.

12.7. Conduct:

Shall be in accordance with *Standing Order 7*.

12.8. Voting:

Shall be in accordance with *Standing Order 8*.

13. SUB-COMMITTEES.

13.1. Formation: -

i- Unless there is a Council resolution to the contrary, every Committee may appoint a Sub-Committee whose terms of reference and membership shall be determined by resolution of the Committee.

ii- A Committee may appoint or re-appoint a Sub-Committee at the first meeting after the A.G.M. or any other time at a meeting by resolution.

iii- A Committee may appoint and determine the terms of office of a Councillor or non-councillor member of such a Sub-Committee (unless the appointment of non-councillor is prohibited by law), to hold office no later than the next A.G.M.

iv- A Committee may determine the dates of future meetings subject to the Chair of any Sub-committee cancelling a meeting because of lack of business or convening a special meeting to consider urgent business.



v- a Committee may only dissolve a Sub-Committee that it convened; it may do so at any meeting by resolution.

vi- the Council may dissolve a Sub-Committee at any meeting by resolution.

13.2. *Date, Time and Location: -*

Unless pre-set by a Committee, the date and time shall be decided by the Proper Officer in consultation with the Chair of the Sub-Committee at a location that is deemed appropriate to hold such a meeting.

13.3. *Notice of meeting: -*

Shall be in accordance with *Standing Order 3.*

13.4. *Quorum.*

Shall be in accordance with *Standing Order 4.*

13.5. *Order of Business: -*

Shall be in accordance with *Standing Order 12.5.*

13.6. *Taking of Minutes*

Shall be in accordance with *Standing Order 6.*

13.7. *Conduct:*

Shall be in accordance with *Standing Order 7.*

13.8. *Voting:*

Shall be in accordance with *Standing Order 6.*

14. ADVISORY AND WORKING GROUPS.

14.1. *Formation by the Council or a Committee.*

i- The Council may appoint an Advisory or Working Group whose terms of reference, scope and membership comprising of councillors and or non-councillors, at any meeting determined by resolution of the Council.

ii- Unless there is a Council resolution to the contrary, every Committee may appoint an Advisory or Working Group whose terms of reference, scope and membership comprising of councillors and or non-councillors, at any meeting determined by resolution of the Committee.

iii- The Council or a Committee shall determine the terms of office of a Councillor or non-councillor member of such an Advisory or Working Group (unless the appointment of non-councillor is prohibited by law), to hold office no later than the next A.G.M.

iv- The Advisory and Working Groups shall be informal and their operation shall be outside the scope and requirements of the Local Government (Access to Information) Act and the Council's Standing Orders.



v- A Committee may only dissolve an Advisory or Working Group that it convened, it may do this at any meeting by resolution.

vi- The Council may dissolve an Advisory or Working Group at any meeting by resolution.

14.2. Date, Time and Location: -

i- Unless pre-set by the forming Committee or the Council, the date and time shall be decided by the Proper Officer in consultation with the Chair of the Advisory or Working Group at a location that is deemed appropriate to hold such a meeting.

14.3. Notice of meeting: -

i- Notification to Members shall be decided by the Proper Officer in consultation with the Chair.

14.4. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:

- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d) To receive and consider reports and recommendations from Subcommittees, other Working Groups and Officers.
- e) To dispose of any remaining business that is listed on the agenda.
- f) To dispose of business (if any) remaining from the last meeting

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

14.5. Taking of Minutes:

Shall be in accordance with *Standing Order 6*.

14.6. Conduct:

Shall be in accordance with *Standing Order 7*.

14.7. Voting:

Shall be in accordance with *Standing Order 8*.

15. MOTIONS NOT REQUIRING WRITTEN NOTICE

i- To appoint a person to preside at meetings.



- ii-** To approve the absences of Councillors.
- iii-** To approve the accuracy of the minutes of the previous meeting.
- iv-** To correct any inaccuracies in the minutes of the previous meeting.
- v-** To dispose of business, if any, remaining from the last meeting.
- vi-** To vary the order of business on the Agenda for reasons of urgency or expediency.
- vii-** To proceed to the next business on the Agenda.
- viii-** To close or adjourn the debate.
- ix-** To refer by formal delegation a matter to a Committee or to an employee.
- x-** To appoint a Committee, Sub-Committee, Advisory Committee or Working Group.
- xi-** To receive and accept nominations to a Committee, Sub-Committee, Advisory Committee or Working Group.
- xii-** To note the minutes of Committee, Sub-Committee, Advisory Committee or Working Group.
- xiii-** To consider a report and or recommendations made by a Committee, Sub-Committee, Advisory Committee or Working Group.
- xiv-** To consider a report and or recommendations made by an employee, professional advisor, expert or consultant.
- xv-** To authorise legal deeds to be signed by two Councillors and witnessed in accordance with *Standing Order 23*.
- xvi-** To amend a motion relevant to the original motion under consideration which shall not have the effect of nullifying it.
- xvii-** To withdraw a motion and amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xviii-** To extend the time limit for speeches and that the "question be put".
- xix-** To exclude the press and public for all or part of the meeting.
- xx-** To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct
- xxi-** To suspend any Standing Order except those which are mandatory by law.
- xxii-** To adjourn the meeting.
- xxiii-** To appoint representatives to outside bodies and make arrangements for those representatives to report back the activities of outside bodies.
- xxiv-** To answer questions from Councillors.



16. MOTIONS REQUIRING WRITTEN NOTICE.

16.1. **Scope**

i- Motions must be about matters for which the Council is responsible, and which substantially affect the well-being of the community area.

16.2. **Giving Notice: -**

i- Notice of a motion to be put to Council shall only be properly given if it is:

a) in writing, by e-mail or letter and contains only one motion, with the names of the proposer and seconder of the motion(s) clearly stated and signed by both parties.

b) delivered to and duly received by the Proper Officer no later than 12 noon at least six calendar days before the date of the meeting.

c) Any delivered after this time limit will be considered under **Standing Order 17**

d) in such case where the motion(s) contained in the notice are, in the opinion of the Proper Officer, out of order, illegal, irregular or improper, the Proper Officer shall immediately consult with the Chair of the Council and such notice shall not be accepted.

e) In the event of non-acceptance of a notice, the Proper Officer shall inform the member giving notice.

16.3. **Registration: -**

Every notice of motion whether correctly delivered and accepted or not, will be dated and registered by the Proper Officer in the order in which they were received and open to Members' inspection after the deadline for receipt.

16.4. **Withdrawal: -**

i- If, prior to the commencement of the meeting, a notice of withdrawal in writing, signed by the proposer and seconder has been delivered to the Proper Officer or

ii- in accordance with the rules of debate.

16.5. **Amendments to motions: -**

i- An amendment to a motion, where notice has been given, shall not be moved unless notice of the amendment has been given to the Proper Officer in writing, signed by the proposer and seconder, by noon on the last working day before the Council meeting.

17. URGENT MOTIONS:

17.1. **Circumstances: -**

i- any case where a written notice of motion duly delivered to the Proper Officer before the start of the meeting that has arisen between the deadline for the submissions of motions and the date of the meeting.



- ii- any case where a motion which is not on the Agenda and is put forward at the meeting.
- iii- The motion requires an urgent decision in the public interest which cannot be dealt with by any other means.

17.2. Action by the Chair: -

- i- Confirms to the meeting that in the Chair's opinion a motion(s) is urgent.
- ii- The Chair shall state clearly the reason given by the proposer for the written notice of motion to be taken as an urgent matter.
- iii- Chair will explain to the meeting the reason why s/he has accepted a motion not listed in the Agenda as urgent.
- iv- The Chair will ask the meeting:
 - a) whether the motion should be discussed at the meeting or
 - b) deferred until the next meeting to consider whether the benefit of written Officer advice; or
 - c) referred for consideration by the appropriate Committee.
- v- Will ensure that urgent motions will not count against the allocation of motions agreed at the A.G.M. for the municipal year

18. PROCEDURE FOR DEALING WITH MOTIONS:

18.1. General Rules: -

- i- where motions are submitted and accepted by written notice and signed by more than two members the first two signatures listed shall be deemed to be those of the proposer and seconder. Seconders to notice of motion under this standing order shall be deemed to have given their consent to their name being used.
- ii- motions which are submitted by written notice and duly accepted by the Proper Officer shall be limited to the number set by resolution by Council at the A.G.M. for inclusion on the Agenda, provided the total number of written notices of motion for the Municipal Year does not exceed the maximum total of motions set by resolution of Council at the A.G.M. in each municipal year,
- iii- motions for which notice has been given and comply with Standing Order 18.ii will be listed in the Agenda in the order in which the notices were received.
- iv- any motion which requires a change in the proposed or existing budgetary framework shall stand deferred to the Council's Audit Committee for consideration
- v- motions received after the set number allowed per meeting and or Municipal Year has been reached, will be returned by the Proper Officer to the proposers.
- vi- a motion where appropriate notice has been given must be formally moved and seconded at the relevant meeting by the proposer and seconder of the motion.



vii- If the motion is not moved or it is not seconded, then it will be treated as withdrawn and shall not be resubmitted for a period of six months.

18.2. *Motions affecting employees of the Council*

If any question arises at a meeting of the Council or a Committee or a Subcommittee or Advisory Committee or Working Group, concerning the appointment, promotion, dismissal, salary, conditions of service or conduct of any employee, such question shall not be the subject of any discussion until the meeting has decided whether or not the power of exclusion under the Public Bodies (Admission to Meetings) Act 1960, shall be exercised.

19. RULES OF DEBATE

i- Motions included in the Agenda shall be considered in the order that they appear unless at the Chair's direction the order is varied for reasons of expediency.

ii- Pursuant to the above *Standing Order 19.i*, the number of amendments to the original or substantive motion, which may be moved by a councillor, is limited to one

iii- If an amendment is not carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

iv- The mover of a motion, or the mover of an amendment shall have a right of reply not exceeding 5 minutes.

v- A Councillor may not speak further in respect of one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.

vi- During the debate of a motion, a Councillor may interrupt but 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 is considered to have been breached or specify the irregularity in the meeting that is causing concern.

vii- A point of order shall be decided by the Chair and the Chair's decision shall be final.

viii- With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission or the withdrawal of the motion or amendment has been refused.

ix- Subject to Standing Orders, when a Councillor's motion is under debate no other motion shall be moved except:



- a) to amend the motion.
- b) to proceed to the next business.
- c) to adjourn the debate.
- d) to put the motion to a vote.
- e) to ask a person to be silent or for him/her to leave the meeting.
- f) to refer a motion to a committee or working group for consideration.
- g) to exclude the press and the public.
- h) to adjourn the meeting.
- i) to suspend any standing order, except those which are mandatory.
- j) To proceed, by a secret ballot, to determine the outcome of a vote on a matter.

x- The Chair shall be satisfied that the substantive motion is seconded before it is debated and put to the vote.

xi- The Chair shall call upon the mover of the motion under debate to exercise or waive his/her right of reply and shall put the motion to the vote after that right has been exercised or waived.

xii- The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption

20. DISORDERLY CONDUCT

i- No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If a member of the public interrupts the proceedings the Chair shall warn that person and if the interruption continues the Chair shall order the removal of that person from the meeting

ii- If, in the opinion of the Chair, there has been a breach of Standing Orders by a Councillor, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put to the vote forthwith without further discussion.

iii- If a resolution made in accordance with the Standing Order 46.b is disobeyed, the Chair may take such further steps as may be reasonably necessary to enforce it and/or the Chair may adjourn the meeting.

21. RESCISSION OF PREVIOUS RESOLUTIONS

i- A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice of which bears the names of at least a third of the membership of the Council, or by a motion



moved in pursuance of the report or recommendation of a Committee or on a report from the Proper Officer

ii- When a special motion or any other motion moved in accordance with *Standing Order 21.i*, has been disposed of, no similar motion may be moved within a further six months.

22. FINANCIAL MATTERS

22.1. *Expenditure:* -

Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

22.2. *Financial Regulations:* -

i- The Council shall consider and approve from time to time the Financial Regulations drawn up by the RFO and shall include detailed arrangements in respect of the following:

- a) the accounting records and systems of internal control.
- b) the assessment and management of financial risks faced by the Council.
- c) the work and the receipt of regular reports, which shall be required at least annually from the Internal Auditor.
- d) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payment.
- e) the Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.
- f) procurement policies in accordance with *Standing Order 22.iii* including the setting of values for different procedures where the contract has an estimated value of less than £25,000.

ii- The RFO shall: -



- a) Report to each Ordinary Meeting of the Council, providing details of the Council's income and expenditure since the last report and the current balance held.
- b) shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year.
- c) shall supply a Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for the year to 31 March shall be presented to each councillor before the end of the following month of May.
- d) The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Audit Committee and then to the Council for formal approval to meet the timetable specified by the external auditor for the submission of the Annual Return.

iii- Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be the basis of a formal tender as summarised in *Standing Order 22.3*.

iv- Where, in the opinion of the Council, the supply of goods, materials, services and the execution of works are of a specialist nature, as an alternative to the requirements of *Standing Order 22.2.iii* tenders may be invited from at least three contractors, selected by the Council, specialising in the type of work included in the contract.

22.3. Formal tender process:

Shall comprise of the following steps:

- i- A public notice of an invitation to tender shall be given in the same manner as a public notice of meetings of the Council and in the local press.
- ii- The notice will give details of contact with the Council, outline detail of the requirements of the Council and the deadline for the expression of interest to be registered with the Council.
- iii- a specification of the goods or materials or services or the execution of works or any combination thereof shall be drawn up.
- iv- Such a specification shall be forwarded to those suppliers who have shown an interest to tender along with details of how to return the tender documents and the deadline for doing so.
- v- tenders shall be returned in a sealed unmarked envelope, to the Proper Officer by a stated date and time.
- vi- All sealed tenders submitted are to be opened at the same time after the stated closing date by the Council's Responsible Financial Officer in the presence of either the Chair or Deputy Chair of the Audit Committee, or in their absence by at least one other member of the Council.



vii- tenders are then to be assessed and reported to a meeting of the appropriate committee or the Council.

viii- If no tenders are received, or that all the quotations are identical, the Council or committee may make such arrangements for procuring the supply of goods, materials, services and the execution of works, as it thinks fit.

ix- Neither the Council or committee is bound to accept the lowest tender, estimate or quote.

23. EXECUTION AND SEALING OF LEGAL DEEDS

i- A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

ii- any two members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

24. MEMBERS' CONDUCT

i- Councillors shall always conduct themselves within the requirements of:

**The Local Authorities (Model Code of Conduct) (Wales) Order 2008
and any subsequent amendments made by Welsh Government.**

Note only - A statutory guidance is issued by the Public Services Ombudsman for Wales under Section 68 of the Local Government Act 2000 for elected, co-opted and appointed members of Community and Town Councils,

link: <https://www.ombudsman.wales/wp-content/uploads/2018/03/Code-of-Conduct-Community-Councils-August-2016-ENGLISH.pdf>

ii- Councillors shall, in conducting the business of the Council, undertaking the role of member thereof to which they were elected or co-opted, and acting as a representative of the Council, observe and adhere to its Code of Conduct.

iii- A Councillor's failure to observe Standing Orders more than three times in one meeting may result in that Councillor being excluded from the remainder of the meeting.

iv- Canvassing Councillors or the members of a Committee or Sub-Committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

v- A Councillor or a Member of a Committee or Sub-Committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.



vi- This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

vii- Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

- a)** inspect any land and/or premises which the Council has a right or duty to inspect; or
- b)** issue orders, instructions or directions.

25. WELSH LANGUAGE SCHEME AND USE OF THE WELSH LANGUAGE

i- Councillors and employees shall adhere to the requirements of any Welsh Language Scheme made by the Council under the Welsh Language Act 1993 and approved by the Welsh Language Board.

ii- The Council shall conduct the business at its meetings in the English language.

26. HUMAN RIGHTS

i- So far as it is possible, legislation must be read and given effect in a way which is compatible with the rights and fundamental freedom referred to in the European Convention of Human Rights set out in the 1998 Act and it is therefore, generally unlawful for a public authority to act in a way which incompatible with a Convention Right. The Council shall, therefore, have regard to human rights principles when making decisions affecting people's rights.

27. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Any Standing Order may be suspended by resolution of the Council, in relation to any specific item of business, subject to the vote thereon being carried by at least two-thirds of the members present and voting on the motion. This Standing Order equally applies at Committee and Sub-Committee meetings.

28. POSSESSION OF STANDING ORDERS.

i- The Proper Officer shall provide a copy of the Council's Standing Orders to:

- a)** a Councillor following delivery of his/her Declaration of Acceptance of Office.
- b)** an employee on his/her appointment.

ii- The Proper Office shall follow Standing Order 28.i. as soon as practical after the Council has adopted an amendment to or a revision of Standing Orders

29. END OF STANDING ORDERS