

ETCHILHAMPTON PARISH COUNCIL STANDING ORDERS

1 MEETINGS

- a Parish Council 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 Notices and agendas of Council meetings shall be served on Councillors at least three clear days before the relevant meeting. Public notices shall be displayed likewise. The Clerk shall prepare meeting agendas.
- c The minimum three clear days for public/other notice of a meeting and its agenda does not include the day on which the notice was issued (unless the meeting is convened at shorter notice), the day of the meeting, a Sunday, Christmas Day, Easter Day or a bank holiday or a day appointed for public thanksgiving or mourning.
- 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. The Council can also go into closed session for data protection and commercial secrecy purposes.
- e There shall be an Agenda item "Questions from the public" at Council meetings. 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 subject to the discretion of the Chairman. Requests from the public for an item to be put on the agenda shall be in writing and sent to the Clerk at least five days before the relevant meeting and the Chairman shall decide whether to include it. The Chairman may decide that a written or oral response be given.
- f Where the Chairman and Council so agree a meeting may be adjourned to a convenient later date and location.
- g Subject to Standing Order 1h, below, 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.
- h A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission of the Council.
- i 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.
- j Subject to Standing Orders which indicate otherwise, anything authorised or required or be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).

- k The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if any) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- l The Council may decide to alter the order in which agenda items at any meeting are dealt with or to postpone their consideration.
- m If the Chairman and Vice-Chairman are absent at any meeting other than the Annual Meeting the first business shall be to appoint a Chairman of the meeting and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.
- n After the first business has been completed, the order of business, unless the Council decides otherwise on the ground of urgency, shall be as follows:
 - i Declarations of Councillor's' interests and requests for dispensations
 - ii After consideration to approve the signature of the previous Minutes by the person presiding as a correct record.
 - iii To deal with business expressly required by statute to be done.

2 QUORUM AND VOTING

- a 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.
- b 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.
- c The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not he/she gave an original vote.
- d If the person presiding at the annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he/she may not give an original vote in an election for Chairman.
- e If a meeting is or becomes inquorate no business shall be transacted. The business on the agenda for the meeting shall be adjourned to another meeting.
- f 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 vote for or against that question.
- g 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 right to participate and vote on that matter.

- h All Councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- i The Chairman of the Council/committees shall in the case of an equality of votes have a second or casting vote

3 COMMITTEES AND SUB-COMMITTEES

- a The Council may appoint a committee and sub-committees whose terms of reference and members shall be determined by the Council and shall include the Clerk, unless he/she deems it unnecessary.
- 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, a committee may recommend a sub-committee whose terms of reference and members shall be determined by the Council.
- d Unless the Council determines otherwise, all the members of an advisory committee or a sub-committee of the advisory committee may be non-councillors.

4 DELEGATION OF POWERS

The Clerk, subject to prior notification of all Councillors, may with at least two Councillors, where an urgent decision is needed during the Covid-19 crisis, make requisite decisions. If the Clerk has a personal interest in the relevant matter he shall not make such a decision but three Councillors, led by the Vice-Chairman shall make the decision. If the Vice-Chairman is not available any three Councillors may make the relevant decision following the same procedure. If any Councillor objects then the matter must be referred to the full Council for decision.

5 ANNUAL PARISH COUNCIL MEETINGS

- a In an election year the Statutory Annual Meeting shall be held within 14 days after the ordinary day of elections to the Council.
- b In a year which is not an election year the Annual Meeting of the Council shall be held on such a day in May as the Council agrees.
- c If no other time is fixed, the Annual Meeting of the Council shall take place at 7.30pm.
- 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 agrees.
- e The first business conducted at the Annual Meeting of the Council shall be the election of the Chairman, Vice-Chairman (if any) and the Responsible Financial Officer ("RFO") of the Council.
- f The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his/her successor is elected.

- g The Vice-Chairman of the Council (if any) unless he/she has resigned or becomes disqualified, shall hold office until his/her successor is elected.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the Annual Meeting until a successor Chairman of the Council has been elected. The outgoing Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the Annual Meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman, Vice-Chairman (if any) and RFO of the Council at the Annual Meeting, the business shall include:
 - In an election year, the Chairman of the Council, Councillors and officers shall deliver their Acceptance of Office Forms at the Annual Meeting unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council, Councillors and officers of their Acceptance of Office Forms (Annex 1) shall be done at the meeting at which they are appointed.
 - In an election year the Council shall fill any vacancies left unfilled at the election because of insufficient nominations.
 - Casual vacancies for Councillors shall be filled by the Council.

6 EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b If the chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested to 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 and served on all Councillors and the Clerk.

7 MANAGEMENT OF INFORMATION

- a The Council hereby delegates to the Clerk the secure keeping of information (including personal data) whether in paper or electronic form. The Clerk shall decide who has access to personal data and encryption of personal data.
- b The Clerk shall retain or safely destroy all information (including personal data) whether in paper or electronic form as he/she deems appropriate.
- c The Clerk shall be registered as the Data Controller for the Council under Data Protection law and shall respond to an individual exercising statutory rights concerning his/her personal data.
- d The Council shall receive any complaints about the mis-management of personal data and decide with the Clerk what remedial action is needed.

- e The Council will keep a record of any proven personal data breaches and the remedial action taken.
- f The agenda, papers that support the agenda and minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification. Planning Applications and information relating thereto are deemed for Data Protection purposes to be in the public domain as shown, for instance, on Wiltshire's Planning website.
- g Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest or would be contrary to Data Protection law with which they must comply.
- h General Information
 - 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.
 - The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.
- i Data Protection Legislation – Privacy Notices
 - The Council shall ensure that information communicated in its GDPR privacy notices is in an easily accessible and available form.

8 DRAFT MINUTES

- 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. The agenda and notice are deemed to be a summons to attend the relevant meeting.
- b The Council shall publish draft minutes on a website which is free of charge not later than one month after the meeting has taken place.

9 DECLARATIONS OF INTERESTS AND DISPENSATIONS REQUEST

- a Having regard to the Etchinghamton Parish Council "Code of Conduct" every meeting shall have an Agenda Item to receive declarations of interests and to approve/disapprove dispensations requests to enable Councillors to participate in discussions, vote and take relevant action on relevant matters as decided. The words "Declarations of Interests and Dispensations Requests" shall cover this item on Agendas. All interests of Councillors must be notified by them to Wiltshire Council in its prescribed form.
- b Dispensation requests and decisions shall be in writing in the form of the Etchinghamton Parish Council Dispensation Request and Dispensation Decision Forms (See Annex 2) 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. Unless granted or the Council decides otherwise the relevant Councillor shall withdraw for that item. Where an interest becomes apparent during a meeting it shall be declared and dealt with as if previously declared.
- c A dispensation may be granted by the Council if having regard to all relevant circumstances the following applies:

- 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; or
- 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.

10 CODE OF CONDUCT

- a Etchilhampton Parish Council's Code of Conduct is attached as Annex 3.
- b All Councillors must agree to abide by the Code of Conduct as stated in their Declarations of Acceptance of Office.
- c Such Acceptance shall also constitute agreement by signatory Councillors to service of documents on them by email or other electronic means.
- d **Complaints**
Upon notification by the Unitary Council that a Councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Clerk shall report this to the Council and the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

11 PROPER OFFICER

- a The Council shall appoint the Clerk as its a Proper Officer.
- b The Proper Officer shall:
 - i at least three clear days before a meeting of the Council serve on Councillors at their residences, by delivery or post or electronically, a summons confirming the time, place and the agenda. Agendas served on Councillors, by the Proper Officer, shall be deemed to be summonses to attend the relevant meeting;
 - ii give public notice of the time, place and agenda of a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with the agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
 - iii convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iv keep available for inspection by any member of the council or the public by arrangement with the Clerk all minutes kept by the Council and by any committee;
 - 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 as recorded by Wiltshire;
 - viii assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation;
 - ix conduct other necessary duties for and on behalf of the Council;
- c The Council may temporarily appoint an appropriate other person to undertake the work of the Clerk when the Clerk is absent or unable to perform duties.

12 RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint a Treasurer/RFO.
- b The Council may temporarily appoint an appropriate other person to undertake the work of the RFO when the RFO is absent or unable to perform duties.
- c The RFO shall observe the Council's Financial Regulations and carry out necessary duties for an on behalf of the Council.

13 FINANCIAL CONTROLS AND PROCUREMENT

- a The RFO shall make arrangements for:
 - 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 provided to the Council at least annually;
 - iv the inspection and copying by Councillors and local electors of the Council's accounts and/or orders for payments; and
 - v confirming 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 (See Annex 4) shall be reviewed regularly.
- c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 shall follow the relevant NALC guidelines.
- d Where the Council on the advice of the RFO considers it desirable contracts for the supply of goods, materials, services or the execution of works shall be put out to tender. Notwithstanding any other Standing Order the Council need not obtain 3 quotes/tenders for work/contracts under £12,000.
- e The Council is not bound to accept the lowest value tender.
- f Orders for the payment of money, including bank standing orders, cheques and BACS shall be authorised by resolution of the Council after approval of relevant invoices/bills presented to it by the RFO. Cheques/BACS shall be signed by two Councillors who are authorised Lloyds Bank signatories.
- g Where necessary, expenditure less than £750.00 may be made by the RFO subject to subsequent ratification of the relevant invoices/bills by the Council.
- h Save in case of emergency contracts of £750.00 in total for or on behalf of the Council shall be approved by the Council in advance and signed by two Councillors and the Clerk. Contracts may not be disaggregated into smaller sums to avoid the £750.00 limit.
- i Particulars of any notice given by a member or any officer of the Council of a pecuniary interest in a contract shall be available for inspection by any Councillor or the public by arrangement with the Clerk.

14 ACCOUNTS AND ACCOUNTING STATEMENTS

- a All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's own regulations.
- b The RFO shall supply to each Councillor before the Council's Budget and Precept are considered the Council's aggregate receipts and payments (or income and expenditure) and relevant balances for the year to date which include a comparison with the Budget for the financial year and highlight any actual or potential overspends relevant to the new Budget.
- c As soon as possible after the financial year end at 31 March, the RFO shall provide:
 - i each Councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the year to date; and
 - ii each Councillor with the accounting statements for the year in the form required under Section 2 of the Annual Governance and Accountability Return, as required by proper practices, for consideration and approval.
- d 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 by the RFO in liaison with the Clerk to all Councillors in adequate time prior to anticipated approval by a meeting of 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 in each year.

15 STAFF MATTERS

If the Council employs staff it shall draw up appropriate Standing Orders.

16 RELATIONS WITH THE PRESS/MEDIA

Requests from the press or other media for an oral or written comment or statement from the Council shall be referred to the Clerk and Chairman for response.

17 EXECUTION AND SEALING OF LEGAL DEEDS

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution of the Council.
- b Any deed of the Council shall be signed by at least two Councillors preferably the Chairman and the RFO and witnessed by another Councillor and the Clerk.

18 RESTRICTIONS ON COUNCILLOR ACTIVITIES

Except in cases of emergency no Councillor shall issue orders, instructions or directions on behalf of the Council unless authorised. Any action shall be reported to the Clerk for subsequent ratification by the Council.

19 STANDING ORDERS GENERALLY

- a All or part of a standing order, except mandatory statutory requirements, may be suspended by resolution generally or in relation to the consideration of an item on the agenda for a meeting.
- b Changes to these Standing Orders may be made by the Clerk and approved by the Council or made as directed by the Council.
- c The decision of the Chairman of a meeting as to the application of Standing Orders at a meeting shall be final.
- d Rulings on points of order shall be made by the Chairman of any meeting.

20 ELECTRONIC COMMUNICATIONS

- a Anything that can be done in hard copy may be done electronically and may incorporate the electronic signature of the Clerk, Chairman, Vice-Chairman or RFO or any Councillor.
- b Courses of action may be approved electronically and ratified later if required.

21 NON-DISCRIMINATION

The Council will operate in a non-discriminatory manner regardless of race, gender or religion.

22 PUBLIC TRANSPARENCY

Members of the public may, on request to the Clerk or RFO, see and obtain copies, at cost, of the Council's papers except where these are sensitive and revelation would not be in the public interest or contrary to Data Protection rules. Requests to the Clerk or RFO will be reported to all Councillors.

23 PLANNING MATTERS

Where the Clerk has received no objections or comments from Councillors on any planning matter that may be reported to the relevant Wiltshire Planning officer or other official.

24 INTERNAL AUDITOR

- a The Council shall appoint an **Internal Auditor** to safeguard its compliance with the proper conduct of its financial affairs and to satisfy its Annual Governance Statement.
- b The Internal Auditor shall not participate in the workings of the Council nor its financial decision making or control or other decision making.

25 FINANCIAL REGULATIONS

- a These Standing Orders shall be read in conjunction with the Council's rules on Declarations of Interests and Dispensations Requests (Annex 2), Financial Regulations (Annex 4) and the Council's Code of Conduct (Annex 3).

- b The Clerk may from time to time amend the Financial Regulations subject to prior approval or ratification by the Council.
- c The Council has authorised the use of BACS for payments.
- d See Annex 4 for details of BACS procedures in the Financial Regulations.

**26 EMERGENCY SITUATIONS – COVID-19 - VIRTUAL MEETINGS –
CONTINUATION OF OFFICERS – POSTPONEMENT OF ANNUAL MEETINGS**

- a The Council has cancelled all annual meetings for 2020.
- b All Officers shall remain in post until 2021.
- c The Council may meet by way of virtual meetings where emergencies such as Covid-19 prevent any Councillor or the RFO or Clerk attending a physical meeting.
- d Details of any virtual meeting shall be given to all Councillors and Officers and made available to the general public.
- e The Clerk shall decide on need and procedures.
- f The Council has agreed the formation of Covid help groups.

Annex 1

DECLARATION OF ACCEPTANCE OF OFFICE

I

having been elected to the office of

of Etchilhampton Parish Council

declare that I take that office upon myself, and will duly and faithfully fulfil the duties of it according to the best of my judgement and ability.

I undertake to observe the code as to the conduct which is expected of Members of Etchilhampton Parish Council.

Signed _____ Date _____

This declaration was made and signed before me

Signed _____ Date _____

Proper officer/Member of Etchilhampton Parish Council

Annex 2

Dispensation Request Form

Etchilhampton Town/Parish Council

Please give full details of the following in support of your application for a dispensation and return to the town/parish clerk

Your name	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	
Dispensation request to participate in any vote, or further vote, taken on that business by that body	
Reason(s) for dispensation request:	
a) Without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	
b) Without the dispensation the representation of different political groups would be affected so as to Alter the likely outcome of any vote	
c) The dispensation is in the interests of persons living in the authority's area, or	
d) That it is otherwise appropriate to grant a dispensation	

Signed: _____ Dated: _____

Dispensation Decision

Etchilhampton Town/Parish Council

Date Dispensation Request Considered (by full Council/ committee /clerk)	
Name of Councillor requesting dispensation:	
Dispensation granted: Yes/No	
Reason for decision (if granted, also specify on what grounds the decision was made, ie the dispensation is on the interests of persons living in the authority's area)	
The business of the council for which the dispensation has been given (if appropriate)	
Length of dispensation	

Signed: _____ Dated: _____

Annex 3

Etchilhampton Parish Council Code of Conduct

You are a member or co-opted member of Etchilhampton Parish Council and hence you must have regard to the following principles: **selflessness, integrity, objectivity, accountability, openness, honesty and leadership.**

You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the following requirements, by leadership and example.

Accordingly, when acting in your capacity as a member or co-opted member:

- 1 You must act solely in the public interest and should never improperly confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, a friend or close associate.
- 2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.
- 3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits on merit.
- 4 You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
- 5 You must be as open as possible about your decisions and actions and the decisions and actions of your authority, and should be prepared to give reasons for those decisions and actions.
- 6 You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties, and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests and seeking dispensations in a manner conforming with the procedures set out below.
- 7 You must, when using or authorising the use by others of the resources of your authority, ensure that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- 8 You shall use the resources of the Council in accordance with its requirements.
- 9 You shall not disclose any information which is confidential or where disclosure is prohibited by law.

Registering and declaring pecuniary and non-pecuniary interests

- 10 You must, within 28 days of taking office as a member or co-opted member, notify your unitary authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living as a husband or wife, or as if you were civil partners. The Proper Officer of the Parish Council shall also be notified.

- 11 In addition, you must, within 28 days of taking office as a member or co-opted member, notify your unitary authority's monitoring officer of any disclosable pecuniary or non-pecuniary interests which your authority has decided should be included in the register. The Proper Officer of the Parish Council shall also be notified.
- 12 If an interest has not been entered onto the Council's register you must disclose the interest to any meeting of the Council at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a sensitive interest.
- 13 Following any disclosure of an interest which is not on the register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.
- 14 Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your Council places on your involvement in matters where you have a pecuniary or non-pecuniary interest as explained in paragraph 15 below.

Dispensations – Explanation and Process

- 15 Parish Councils are now responsible for determining requests for a dispensation by a parish councillor.
- 16 A dispensation enables Councillor(s) to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest or another interest. Provided Councillors act within the terms of their dispensation there is no breach of the Code of Conduct or the law. Please note: If a Parish Councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, he/she maybe committing a criminal offence under s34 of the Localism Act 2011.
- 17 Process for making requests
Any Councillor who wishes to apply for a dispensation may complete a Dispensation Request form and submit it to the proper officer of the Parish Council (i.e. the Parish Clerk) as soon as possible before the meeting at which the dispensation is required. Applications may also be made at the meeting itself. A request for dispensation must be made on an individual basis.
- 18 Consideration by the Parish Council
The Parish Council will decide whether dispensations are appropriate and if granted the dispensation will be recorded in the minutes of that meeting. The recording of the dispensation(s) in the minutes will suffice.
- 19 The Council may grant a dispensation to a councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:
 - (a) so many members of the decision-making body have disclosable pecuniary interests that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
 - (b) the authority considers that the dispensation is in the interests of persons living in the authority's area; or
 - (c) it is otherwise appropriate to grant a dispensation.
- 20 The Council extends the provisions of the above paragraphs to apply in the same way in the case of a "non-disclosable pecuniary interest" or an "other interest" whether or not previously registered

21 Criteria for Determination of Requests

In reaching a decision on a request for a dispensation the Council will take into account:

- (a) the nature of the Councillor's prejudicial interest
- (b) the need to maintain public confidence in the conduct of the Council's business
- (c) the possible outcome of the proposed vote
- (d) the need for efficient and effective conduct of the Council's business
- (e) any other relevant circumstances.

22 Terms of Dispensations

Dispensations may be granted:

- (a) for one meeting; or
- (b) for a period not exceeding 4 years

Dispensations are relevant to the current term being served and have to be reissued if re-elected for a new term

23 Disclosure of Decision

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

Non-Discrimination

- 24 Councillors will operate in a non-discriminatory manner regardless of race, gender or religion

Code Changes

- 25 The Council may change this Code at anytime

Annex 4

ETCHILHAMPTON PARISH COUNCIL FINANCIAL REGULATIONS

1 Introduction

- a The Treasurer shall be the Responsible Financial Officer (RFO) for the Council and shall be responsible for ensuring adherence to relevant financial regulations, national requirements and legislation.
- b The Council shall appoint an independent Internal Auditor to safeguard its compliance with the proper conduct of its financial affairs.
- c The Internal Auditor shall not participate in the workings of the Council nor its financial decision making or control or other decision making.

2 Budgeting Procedure

- a The Council will approve the coming financial year's Budget and Precept demand in time to meet Wiltshire's Precept deadlines and the Annual Governance Statement.
- b The RFO will report at every Council meeting on how the current year expenditure compares to the Budget. The RFO will draw attention to any anticipated departure from the Budget.

3 Payments

- a All Council funds are currently held in Lloyds Bank. All Councillors are signatories.
- b All payments shall be made by cheque or BACS.
- c All Councillors are signatories.
- d All requirements of Lloyds Bank will be satisfied before any payment is made.
- e The RFO is authorised to raise cheques/make BACS payments from/by Lloyds Bank provided that:
 - i Invoices are produced and agreed by the Council ahead of approval of payments;
 - ii The amount and payee is or has already been agreed at a Council meeting;
 - iii The amount and payee is within the budget already agreed by the Council;
 - iv Regular or minor invoices may be paid when payment is due before the next Council meeting, provided that email authorisation has been obtained from the Clerk and at least two Councillors or Standing Order 13g applies;
 - v All payments shall be minuted;
 - vi Where no invoice exists for a payment, a copy will be made of the cheque or BACS paperwork and kept on file;
 - vii The Lloyds Bank account book (or any statements for any other bank account the Council may hold) will be brought to every Council meeting and the balance verified;
 - viii The Lloyds Bank account book and all invoices will be held by the RFO and be available for inspection at any time by any member of the Council and the Internal Auditor.

4 Accounting Records

- a All receipts and payments will be recorded as appropriate with the running balance reconciled with the Lloyds Bank account book.
- b An annual statement of the Council's accounts will be completed by the RFO as soon as practicable after 31th March for presentation to the Council and to parishioners at the Annual Parish Meeting. This statement will show the Council's finances for the year just completed and also the preceding year, for comparison. Significant variances between the 2 years shall be explained.
- c Where necessary the RFO will each year obtain the Council's agreement to an earmarked reserve for particular purposes.
- d The RFO is responsible for processing **VAT** records and making any applications to reclaim VAT for the Council.

5 Internal Auditor

The RFO shall make available to the Internal Auditor such information as required to verify proper accounting by the Council.

6 Procurement Policies

- a Subject to Etchilhampton Parish Council's Standing Orders the Council shall ensure as far as reasonable and practicable that the best available terms are obtained for all work, goods and services, usually by obtaining 3 quotes or estimates from appropriate suppliers. Where this is not practical, the Council minutes will detail the reasons for not obtaining 3 quotes.
- b Where urgent work in the parish is required and time does not permit obtaining 3 quotes, email agreement must be obtained by the RFO from the Clerk and 2 Councillors.

7 Annual Governance Statement

- a The RFO, working with the Clerk and Chairman, as appropriate, shall ensure that all necessary documentation is prepared for the Council to sign off its Annual Governance Statement in a correct manner.
- b The RFO shall liaise with the Internal Auditor to prepare the Internal Auditor's Return under the Annual Governance Rules which the Internal Auditor will supply to the Council in good time to comply with the Annual Governance Statement within the Account and Audit Regulations.
- c The Council shall each year before appointing the Internal Auditor consider the effectiveness of its systems for internal propriety including any reports from the Internal Auditor.

8 Assets

The Council shall examine each year a register of its assets to comply with the Annual Governance Statement.

9 Risk Assessment

- a Each year the Council shall consider a Risk Assessment as part of its Budget and Annual Governance deliberations.
- b The RFO shall produce each year when the Budget and Risk Assessment are considered by the Council a copy of the Council's insurance policy to show that assessed insurable risks are covered.

10 Revisions

These Regulations shall be applied in conjunction with the Council's Standing Orders and Code of Conduct and may be revised from time to time by the Clerk subject to approval of/ratification by the Council.