

Rowlands Castle Parish Council

11 The Green, Rowlands Castle PO9 6BW

Email: clerk@rowlandscastlepc.org.uk Tel: 02392 413044 Website: www.rowlandscastlepc.org.uk

STANDING ORDERS and FINANCIAL REGULATIONS Adopted at the Annual Meeting of the Council on 4 May 2020,

NB: These Standing Orders (SOs) are subject to the statutory requirements imposed on Parish Councils, and which take precedence over said SOs. Reference to 'written' communications includes those received by electronic means. SOs in bold type indicate those included in NALC's Model Standing Orders of 2018 excluding Financial Regulations, and which are considered statutory requirements.

The Council's Role

1. It is the duty of the Parish Council to serve the communities of Rowlands Castle, Finchdean and Idsworth, to seek the best interests of their residents as a whole and to care for the amenities and resources entrusted to it. All private interests must be subjugated to those of the community as a whole.
2. The Council is the decision-taking Authority. The Council is supported by the Clerk as its Executive Officer, also described as "Proper Officer", who is normally the Responsible Financial Officer as well. The Clerk's role is to guide, advise and warn the Council as appropriate; to implement the Council's decisions; to achieve efficiency in the Council's operations; to liaise effectively with other bodies and stakeholders on behalf of the Council; and to ensure the accountability of the Council.

Membership of the Council

3. At present, Council members are elected every fourth year and hold office until the following local elections. Vacancies not filled at the local election, and casual vacancies occurring during the life of the Council, will be advertised in accordance with By-Election regulations. Should no By-Election be requested by the requisite number of electors, the vacancy may be filled by the Council in accordance with its Policy on the Co-option of Councillors.
4. Eligible persons wishing to offer themselves as a candidate to fill a casual vacancy are encouraged to communicate with the Clerk in the first instance. Prospective candidates will be provided with a copy of the aforementioned Policy upon request. If they wish to pursue their offer, the procedure detailed in the Policy will be instigated. This will involve an opportunity for a prospective candidate(s) to meet with the Clerk and the Chair in the first instance before they submit a formal Application as detailed in the Policy. Upon receipt of such an Application, a prospective candidate(s) will be invited to an informal meeting with members before a decision whether to elect them to the Council is considered at the next suitable meeting of the Council. Voting may be by paper ballot at the discretion of the Chair or at the request of any two other Councillors.
5. The Council may, at its discretion, co-opt up to three non-councillor members to any committees or working groups that do not have delegated powers to take decisions on behalf of the Council.

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6. Members may resign by notice in writing to the Chair. Should a member fail to attend Council meetings to which they have been summoned, without the formal approval of the Council for their absence, for six calendar months, they automatically lose their membership of the Council.

Conduct of Councillors

7. Members are required to conduct themselves at all times in accordance with the Code of Conduct in force at the time. No Councillor shall, at a meeting, disregard the ruling of the Chair or a majority of members present and voting, wilfully obstruct Council business or behave irregularly, offensively or improperly. Councillors are expected at all times not to act in such a manner as to bring the Council into contempt, disrepute or ridicule.
8. Councillors are required to speak and act independently and to work collegially with each other. In their actions, they shall adhere to all elements of the Code of Conduct as adopted by the Council. They are required to respect the confidentiality of all matters that may be so disclosed to them.
9. **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.**
10. No Councillor or Committee member shall disclose to any other person, any confidential matter or business until the Council agrees that confidentiality can be lifted.
11. The Council has various policies and protocols, including those relating to human relations, which are also to be followed. Other policies relating to the activities of the Council and its members may be introduced from time to time and shall also be respected by all members.
12. Each member is required to complete a Register of Interests, which is to be reviewed and updated at least annually. It will be forwarded to the Monitoring Officer at EHDC for registration. A copy will also be held on file in the Parish office which will be available for public inspection on request.
13. **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.**
14. **'Dispensation' requests** to relax any statutory limitation or restriction on voting **shall be in writing and submitted to the Clerk** as soon as possible before the Meeting, or failing that, at the start of the Meeting for which the dispensation is required. A decision as to whether to grant a dispensation shall be made by the Clerk or Council, and that decision is final.
15. **A Dispensation may be granted in accordance with SO 15 if, having regard to all relevant circumstances, the following applies:**

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- 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.**
16. Councillors must take personal responsibility for disclosing any personal and/or pecuniary interests in relation to any matters involving the Council. In approaching any matter requiring a Council decision, councillors must ensure that their prior actions or comments do not leave them open to allegations that their minds were already made up. (DCLG's *A Guide for Councillors: Openness and transparency on personal interests* is contained in an Annex to these SOs).
17. If, in the opinion of the Chair or any two other Councillors, a Councillor has engaged in such misconduct as set out in paras 8 and/or 9 above, a resolution may be moved that the Councillor named be no longer heard or that the Councillor named be required to leave the meeting. If this is not obeyed, the Chair or a majority of members present and voting may adjourn the meeting or take such other steps as may be necessary to enforce the motion.
18. Unless authorised by resolution or by the Clerk, no individual councillor (including the Chair) shall in the name or on behalf of the Council, a Committee or Working Group: inspect any land and/or premises which the Council has a right or duty to inspect, or issue orders, instructions or directions.

Ordinary Meetings of the Council

19. **In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office**
20. **In a year which is not an election year, the Annual Meeting of the Council shall be held on such day in May as the Council decides.**
21. **If no other time is fixed, the Annual Meeting of the Council shall take place at 6pm.**
22. **The first business conducted at the Annual Meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
23. **The Chair 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 at the next Annual Meeting of the Council.**
24. **The Vice-Chair of the Council, if there is one, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next Annual Meeting of the Council.**
25. **In an election year, if the current Chair 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**

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Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.

26. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she shall preside at the Annual Meeting until a new Chair of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
27. Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the Annual Meeting in an election year, the business shall include delivery by the Chair of the Council and councillors of their Acceptance of the Office forms unless the Council resolves for this to be done at a later date . In a year which is not an election year, the business shall include delivery by the Chair of the Council of his/her Acceptance of Office form unless the Council resolves for this to be done at a later date.
28. Subject to SOs which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the Vice-Chair of the Council (if there is one).
29. 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.
30. In addition to the Annual Meeting of the Council, at least 3 other ordinary meetings shall be held in each year on such dates and times as the Council decides. Meetings of the Full Council shall normally be scheduled to take place on a monthly basis, excluding special or extraordinary meetings that may need to be called at short notice. The Schedule of Meetings for the forthcoming Council year shall be agreed at the Annual General Meeting. While Council meetings are currently scheduled for Monday evenings, this arrangement may be varied to reflect the convenience of Council members as a whole, and also the availability of suitable accommodation.
31. The Notice of Council meetings, in the form of an Agenda confirming date, time, venue and the business to be transacted, shall be publicly displayed and sent by the Clerk, to all councillors, a minimum of three clear days (including Saturdays but excluding the day on which the Notice was issued, the day of the Meeting, Sundays, a day of the Christmas or Easter break, bank holidays or a day appointed for public thanksgiving or mourning) before the date of the scheduled meeting.
32. Normally, Councillors will receive (by e-mail or in hard copy according to their preference) all papers relating to the business to be transacted at the meeting with the Agenda. An invitation to attend each meeting of the Full Council shall also be sent to the District and County Councillors representing its electoral wards/divisions.

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33. The preparation of the Agenda for Council meetings is primarily the responsibility of the Clerk, in consultation with the Council Chair. Any Councillor may request the Clerk to include an item on an Agenda for a Council meeting by giving notice in writing, with a supporting paper (if appropriate), not less than 7 calendar days before the scheduled meeting.
34. No business shall be transacted that is not clearly shown on the Agenda for the relevant meeting. This does not, however, preclude matters being raised for information or for future consideration by the Council.
35. **No business may be transacted at a Meeting unless at least one-third of the whole number of members of the Council are present, and in no case shall the quorum of a Meeting be less than three. If a meeting is or becomes inquorate, no business shall be transacted** and the meeting shall be closed. The business on the Agenda for the Meeting shall be adjourned to another meeting.
36. Members who are absent or disqualified by virtue of a prejudicial interest in an item are excluded from the quorum. There is no provision for proxy voting.
37. **The Chair of the Council, if present, shall preside at a Meeting. If the Chair is absent from a Meeting, the Vice-Chair of the Council, (if there is one) if present, shall preside. If both the Chair and the Vice-Chair, if any, are absent from a Meeting, a councillor as chosen by the councillors present at the Meeting shall preside at the Meeting.** Such acting chairmen shall have all the powers of the Chair for the duration of that meeting.
38. The ruling of the Chair shall be binding and final on all procedural matters and points of order. The Chair may, at his/her discretion, limit the length of individual contributions on any agenda item, whether those contributions are by members of the public in open forum or individual Councillors.
39. **Meetings of the Council shall be open to members of 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,** such as matters of legal proceedings, staff employment, the position of an individual Councillor, consideration of competitive tenders or other issues of commercial sensitivity. **The public's exclusion from part or all of the Meeting shall be by a Resolution which shall give reasons for the public's exclusion.** The agenda and minutes of the previous meeting will be made available to members of the public at the Meeting.
40. Members of the public (including District and County Councillors) do not have a right to speak at a Council meeting unless the Council authorises this. It is however customary for Council meetings to make provision for an Open Forum, normally limited to 15 minutes, at which members of the public may raise any matter relating to the Council's work. This is not a question and answer session and there is no obligation on the Chair, the Clerk, or other Councillors to reply.

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41. The Full Council Agenda will normally include provision for delegates' reports, at which County and District Councillors, the police and representatives of other stakeholder organisations, may provide information. In the interests of efficiency in the use of time in Council meetings, and in order that Councillors shall have the opportunity to consider matters reported upon, all delegates are strongly urged, wherever possible, to provide their reports in writing in advance of the meeting.
42. **Subject to a Meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
43. Motions and amendments moved by one Councillor shall be formally seconded by another in order to be debated or voted upon by those with voting rights. **Unless SOs provide otherwise, voting on a question or resolution 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 or resolution.** Such a request shall be made before moving on to the next item of business on the Agenda.
44. **The Chair of a Meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote, whether or not he/she gave an original vote.**
45. No resolution passed within the previous six calendar months shall be rescinded or amended unless:
 - a) Prior notice to that effect, signed by two Councillors and with a supporting paper explaining the reasons, has been submitted no less than seven days before the next scheduled meeting; and
 - b) The motion to rescind has been published on the agenda and the supporting paper sent to all members of the Council. The previous resolution may then be rescinded or varied, provided at least two-thirds of the members present vote in favour of the motion.
46. **Subject to SO 48, 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.** A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
47. 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.
48. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If, in the opinion of the Chair or a majority of members present and voting, there has been a breach of this SO, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the

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meeting, and the motion, if seconded where required, shall be put forthwith and without discussion. If a resolution made in accordance with this SO is disobeyed, the Chair (or a majority of the councillors or councillors with voting rights present and voting) may take such further steps as may reasonably be necessary to enforce it, including to adjourn the meeting.

Extraordinary Meetings of the Council

49. **The Chair of the Council may convene an Extraordinary Meeting of the Council at any time, providing the requisite notice is given.**
50. **If the Chair of the Council does not, or refuses to, call an Extraordinary Meeting of the Council within 7 days of having been requested in writing to do so by two councillors, any two councillors may convene an Extraordinary Meeting of the Council, providing the requisite notice is given. The statutory public notice giving the time, date, place and agenda for such a meeting must be signed by the two councillors.**

Minutes

51. Council Minutes shall be a formal record of official acts and decisions set out in a form in accordance with guidelines in the book *Local Council Administration*. They should be as short as is consistent with clarity and accuracy. While the main priority is to state clearly the decision reached, it may also be helpful, where major decisions have been taken, to record the main arguments and considerations leading to the particular decision.
52. Final responsibility for producing the Minutes and presenting them for approval at the next meeting is vested in the Clerk. A draft of the Minutes shall be sent to each Councillor and posted on the Council's public notice boards within 14 days of each meeting. They should be clearly marked as awaiting formal approval at the next meeting of the Full Council. If at all possible, Councillors with comments about the draft Minutes should send them to the Clerk in advance of the next meeting in order that such comments may be carefully considered.
53. When minutes of the previous meeting are presented, no discussion shall take place other than on their accuracy.
54. Reports on Matters Arising from the previous minutes will normally be in the form of a (written) progress report on actions taken. This will normally be the responsibility of the Clerk, though individual Councillors may be asked to contribute where a particular action has been delegated to them.

Committees and Working Groups

55. The Council may, appoint such Committees, or less formal Working Groups, as it believes will aid it in the efficient discharge of its responsibilities. The identity and Terms of Reference of each Committee or Working Group will be agreed at a Council Meeting and will take immediate effect.

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56. Any duly-appointed Committee shall consist of no fewer than four Councillors. The Council Chair and Vice Chair (if any) will be ex-officio members of each Committee, except the Staffing & Remuneration Committee, but will not count among the four nominated Councillors. The quorum for each Committee shall be three members (including where appropriate the Chair and Vice Chair).
57. Each Committee shall appoint its own Chair and, if deemed desirable, a Vice Chair.
58. **Unless the Council determines otherwise, a Committee may appoint a sub-Committee, the terms of reference and members for which shall be determined by the Committee.**
59. **The members of a Committee may include non-councillors unless it a Committee which regulates and controls the finances of the Council.**
60. In view of the urgency with which some planning matters have to be determined, any Committee appointed to deal with planning issues shall consist solely of councillors and shall have delegated authority to take decisions on behalf of the Full Council. Otherwise, executive powers continue to reside with the Full Council.
61. The minutes of all committees shall be submitted to the Council for ratification. Such minutes shall clearly show all recommendations for which Council approval is required.
62. Subject to the above provisions, all SOs and Rules of Procedure as set out for the Council shall apply equally to the Council's committees.
63. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

Financial Regulations

64. The Clerk is normally also the Responsible Financial Officer (RFO). It is, however, for the Council, in consultation with the Clerk/RFO, to decide how day to day financial management is conducted on behalf of the Council. The Council is authorised to outsource such activities where it considers this to be the most economical and efficient way of discharging its duties.
65. The Council's banking arrangements, including the bank mandate, shall be made by the Clerk/RFO in consultation with the Council. A member of the Council will also review all Council's bank statements and other records on a quarterly basis and counter-sign each sheet as being in accordance with the Clerk's reports presented to Council.
66. The Council shall appoint at least one of its number, other than the Chair, to liaise with the Clerk/RFO and Council Chair to regularly review the Council's finances. In the event that the Council has a Finance Committee, that Councillor may be the Chair of the Finance Committee.
67. The Clerk/RFO shall each year, by no later than January, prepare detailed estimates of all receipts and payments, including the use of reserves and all sources of funding, for the following financial year in the form of a budget to be considered by the Council.

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68. The Clerk/RFO shall provide the Council with a monthly Schedule of Payments to be authorised by the Council and signed by at least two councillors nominated as bank account signatories. The signatures of two nominated councillors shall also be required to validate Council cheques (including counterfoils), inter-bank transfers, standing orders and variable direct debits. In the event that payment is required before the Schedule is authorised at the next Council Meeting, the Clerk/RFO shall report that payment retrospectively to Council.
69. A record of payees and amounts (and cheque numbers where appropriate), as indicated on the authorised Schedule of Payments, shall be recorded within the minutes of the relevant Council Meeting.
70. The Clerk/RFO shall provide the Council with a reconciled report on all its bank accounts for note at each Council Meeting.
71. If income is received in cheque or cash, it will be receipted and banked promptly into Council's current account. All other income will be received via inter-bank transfer.
72. If appropriate, the Council will safeguard any reserved (ear-marked or otherwise) funds by investing in an appropriate account. Investing balances by local councils must be done prudently and in accordance with the requirements of the Local Government Act 2003 and Guidance issued by the Secretary of State. Changes in earmarked reserves shall be approved by council as part of the budgetary control process.
73. The Clerk/RFO is authorised to incur expenditure up to £500 excluding VAT at a time (or such sum as may be agreed annually by the Council at its Annual Meeting) for any urgent repair, replacement or other work that is the concern or responsibility of the Council. Where possible, the Clerk/RFO should consult with the Council Chair and/or nominated councillor/Chair of any Council Finance Committee/Working Group (see SO 66) and report the action to the Council as soon as practicable thereafter.
74. The supply of goods, materials, services and the execution of the works with an estimated value of £500 or more but less than £5,000 in one, or a succession of linked, contract(s) shall require not fewer than two written quotations.
75. The supply of goods, materials, services and the execution of the works with an estimated value of £5,000 or more but less than £25,000 in one, or a succession of linked, contract(s) shall require not fewer than three written quotations, the provision of a specification of works and financial statements from potential contractors.
76. The supply of goods, materials, services and the execution of the works with an estimated value of £25,000 or more in one, or a succession of linked, contract(s) shall be procured on the basis of a formal tender as summarised in SO 79 below.
77. Any suppliers competing/tendering for a contract with the Council likely to last 3 years or more shall be required to provide a copy of their most recent completed accounts in order to be considered for the contract.

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78. The tender process for contracts for the supply of goods, materials services or the execution of works shall include, as a minimum, the following steps:
- i) A specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii) An invitation to tender shall be drawn up to confirm a) the Council's specification, b) the time, date and address for the submission of tenders, c) the date of the Council's written response to the tender, and d) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii) The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv) Tenders are to be submitted in writing in a sealed, marked envelope addressed to the Clerk;
 - v) Tenders shall be opened by the Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi) Tenders are to be reported to and considered by the appropriate meeting of the Council, or a Committee or Sub-Committee with delegated responsibility
79. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in SO 80 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity**
80. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every 2 years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
81. **A public contract in connection with the supply of gas heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European commission every 2 years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

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82. Once agreed by Council, the company name and contracted amount of all successful quotations/tenders shall be minuted.
83. The Council may award a contract on overall value for money criteria rather than on a lowest price basis. Where this occurs, the reasons for such a decision must be recorded in a confidential minute.
84. Normally once a financial quarter, Council will review its expenditure and income against budget in all categories of spending.
85. The Council has powers to vire up to 10% of any budget allocation where it appears that a particular allocation is unlikely to be fully utilised, to an alternative budgetary head where the need is found to be greater than forecast. Such virement will require the approval of a majority of Councillors present and voting.
86. As a Council with a turnover of normally less than £200,000, it is only necessary for the Council to produce a 'receipts and payments' account, or an income and expenditure account and statement of balances in relation to a particular fiscal year. The Council's end of year accounts, once audited, will be available for public inspection in accordance with legal requirements.
87. Once its financial year end accounts have been finalised the Council shall, in the event of an overall underspend, consider whether the resulting balances should be added to reserves or used to reduce the size of the Precept in the following year.
88. The Council shall provide a suitable grant application form to any organisation wishing to approach the Council for funding.
89. **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

The Clerk

90. As the Proper Officer of the Council, the Clerk is authorised to convey to other agencies, and otherwise to implement, the decisions of the Council. As well as authority to spend a specified sum without the need for recourse to the Council for prior approval (see Financial Regulations section above), the Clerk is authorised to arrange for minor works of repair and maintenance to be put in hand.
91. **The Clerk shall serve on councillors, by delivery or by post to their residences or by email authenticated in such manner as the Clerk thinks fit, a signed summons to a Meeting of the Council or a Meeting of one of its Committees or sub-Committees, in accordance with the requisite notice detailed in SO 32, confirming the time, place and the agenda (provided the councillor has consented to service my email).**
92. **The Clerk shall provide, in a conspicuous place, public notice of the time, place and agenda of a Meeting of the Council or a Meeting of one of its Committees or sub-**

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Committees, in accordance with the requisite notice details in SO 32 (**provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them**).

93. **The Clerk shall convene a Meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in that office.**
94. **The Clerk shall facilitate inspection of the minute book by local government electors,**
95. **The Clerk shall receive and retain copies of byelaws made by other local authorities.**
96. The Clerk should record in broad outline the number of contacts from members of the public and the issues they raise. This, together with details of any expenditure incurred or other work put in hand by the Clerk acting under delegated authority, should be reported to the Council for note on a monthly basis.
97. The Clerk is also the main source of information to be conveyed to third parties regarding all Council-related matters. There may, however, be occasions when it might be appropriate for an individual councillor to deal with particular issues, subject to approval of the full Council, noting that the Council cannot delegate the performance of its statutory and legal responsibilities to an individual councillor. An example might be when it is resolved that a particular councillor will be the Council's representative at an external meeting. In such circumstances, a decision as to who should speak on behalf of the Council will be taken by the Council as a whole. Other councillors should not normally give interviews to the press or make written representations to other bodies on Council matters. Where an exception may be called for, councillors should consult the Clerk. This does not preclude the rights of councillors to raise any matters with relevant authorities arising out of potential breaches of the Code of Conduct or in relation to possible illegality.

Staff Matters

98. Line Management of the Clerk will be the responsibility of the Staffing & Remuneration Committee. The Clerk will be the line manager for other staff employed by the Council.
99. The performance of the Clerk will be appraised annually by a minimum of 2 members of the Staffing & Remuneration Committee. Other staff members, who may be required to attend Council meetings, will be appraised annually by their line manager and one (other) Councillor. Other staff members will be appraised by the Clerk. Following this, a confidential report should be made to the Council, together with any proposals for adjustment to remuneration levels, hours of work, etc.
100. Notwithstanding other discussions on such matters, the Clerk shall provide Council with an annual Confidential Note of all Council staff rates of pay, contracted hours of work and any other significant aspect of employment terms. This Note is to be provided either at the beginning of the Council's financial year, at the AGM or when the budget for the forthcoming year is being finalised.

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Email: clerk@rowlandscastlepc.org.uk Tel: 02392 413044 Website: www.rowlandscastlepc.org.uk

Management of, and Responsibilities to Provide, Information

101. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
102. The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's Retention Policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (eg the Limitation Act 1980).
103. The agenda, papers that support the agenda and minutes of a meeting shall not disclose or otherwise undermine confidential information personal data without legal justification.
104. Councillors, staff and Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
105. 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.

Responsibilities under Data Protection Legislation

106. The Council shall appoint a Data Protection Officer.
107. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her personal data.
108. The Council shall have a written policy in place for responding to and managing a personal data breach.
109. The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and remedial action taken.
110. The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
111. The Council shall maintain a written record its processing activities.

Execution and Sealing of Legal Deeds

112. A legal Deed shall not be executed on behalf of the Council unless authorised by a resolution.
113. Subject to SO 111, any two councillors may sign, on behalf of the Council, any Deed required by law and the Clerk shall witness their signatures.

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Modification and Review

114. These SOs will be kept under review by the Clerk, who will report to the Council at least annually as to whether public policy, evidence of best practice, or the specific requirements of the Council for the efficient discharge of its business, point to the desirability of any amendment.
115. A motion to add to or vary or revoke one or more of the Council's SOs, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice of which should be made to the Clerk by at least two councillors within 7 calendar days of the Meeting.
116. All or part of an SO, except where required by law, may be suspended by Resolution if good cause can be shown in relation to any specific Council matter or Agenda item. Such suspension may only take place if two-thirds of the members present vote in favour.

Appendices available on RCPC website and/or hard copy upon request:

- a) RCPC Co-option of Councillors Policy (adopted 4 May 2020)
- b) RCPC Tree Policy (adopted 2 October 2017)
- c) RCPC Advertising on The Green Policy (adopted 8 May 2012)
- d) RCPC Code of Conduct for Councillors (adopted 3 July 2017)
- e) RCPC Complaint Handling Procedure (adopted 3 July 2017, confirmed 14 May 2018)
- f) DCLG's *A Guide for Councillors: Openness and transparency on personal interests*
- g) Protocol for Reporting at Meetings (adopted 18 May 2015)
- h) Various human-resources related policies

Circulation:

All RCPC Cllrs (electronic link or hard copy)
Current Official Minutes file in Parish Office
RCPC Information File by Clerk's Desk
Standing Orders file
RCPC Website (in PDF format, once agreed)