

PUXTON PARISH COUNCIL CODE OF CONDUCT

1. Puxton Parish Council ("The Council") has adopted the following code dealing with the conduct that is expected of members and co-opted members of the Council ("Members") when they are acting in that capacity as required by section 27 of the Localism Act 2011 ("the Act").
2. The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members and the Code sets out the standards that the Council expects Members to observe.
3. The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.
4. The code is intended to be consistent with the seven principles as attached to this code and applies whenever a person is acting in his/her capacity as a Member of the Council or co-opted member in the conduct of the Council's business or acting as a representative of the Council.
5. When acting in your capacity as a 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, a close associate, an employer or a business carried on by you.
 - (2) You must not place yourself under a financial or other obligation to outside individuals or organisations that may influence you in the performance of your official duties.
 - (3) You must not disclose any information given to you as a Member in breach of any confidence.
 - (4) You must not bring your office or your Council into disrepute.
 - (5) You must treat others with respect and promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their sex, race, age, religion, gender, sexual orientation or disability. You should respect the impartiality and integrity of the Council's statutory officers and its other employees.
 - (6) 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.
 - (7) You are accountable for your decisions to the public and you must co-operate fully with whatever scrutiny is appropriate to your office.
 - (8) You must be as open as possible about your decisions and actions and the decisions and actions of your Council and should be prepared to give reasons for those decisions and actions.
 - (9) You must declare any private interests, both disclosable pecuniary interests and any other registrable interests, 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 in a manner which conforms with the procedures set out below.
 - (10) You must ensure, when using or authorising the use by others of the resources of your Council, that such resources are not used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Council Code of Publicity made under the Local Government Act 1986.
 - (11) You must promote and support high standards of conduct when serving in your office.

Registering and declaring disclosable pecuniary and other registrable interests

1. You must, within 28 days of taking office as a member or co-opted member, notify the 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 with as a husband or wife, or as if you were civil partners. These interests and those at (2) below are shown attached to this code.
2. In addition, you must, within 28 days of taking office as a member or co-opted member, notify the Monitoring Officer of any disclosable pecuniary or non-pecuniary interest which your Council has decided should be included in the register.
3. If an interest has not been entered onto the Council's register, then the member must disclose the interest to any meeting of the Council at which they are present, where they have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest' as described by the Localism Act 2011.
4. Following any disclosure of an interest not on the Council's 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.

5. 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 defined by your Council.

SEVEN GENERAL PRINCIPLES OF CONDUCT

1. **Selflessness:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
2. **Integrity:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
3. **Objectivity:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.
4. **Accountability:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
5. **Openness:** Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands
6. **Honesty:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest
7. **Leadership:** Holders of public office should promote and support these principles by leadership and by example, and should act in a way that secures or preserves public confidence.

DISCLOSABLE PECUNIARY INTERESTS (as defined by regulations)

1. Details of any employment, office, trade, profession or vocation carried on for profit or gain.
2. Details of any payment or provision of any other financial benefit (other than from the relevant Council) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
3. Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant Council
 - (a) under which goods or services are to be provided or works are to be executed; and
 - (b) which has not been fully discharged.
4. Details of any beneficial interest in land which is within the area of the relevant Council.
5. Details of any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
6. Details of any tenancy where (to Member's knowledge) –
 - (a) The landlord is the relevant Council; and
 - (b) The tenant is a body in which the relevant person has a beneficial interest.
7. Details of any beneficial interest in securities of a body where
 - (a) That body (to Members' knowledge) has a place of business or land in the area of the Council; and
 - (b) Either –
 - (i) The total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or
 - (ii) If that share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Interests 1-7 are those the Council has determined should be entered into the Council's register of interests.

OTHER REGISTRABLE INTERESTS

1. Details of any body of which you are a member, or in a position of general control or management, and to which you are appointed or nominated to by the Council.
2. Details of any body of which you are a member, or in a position of general control or management, and which
 - (a) Exercises functions of a public nature;
 - (b) Is directed towards charitable purposes; or
 - (c) Is a body which includes as one of its principal purposes influencing public opinion or policy (this includes political parties or trade unions).
3. Details of any persons from whom you have received a gift or hospitality with an estimated value of at least £25. (You must register any gifts or hospitality worth £25 or over that you receive personally in connection with your official duties).

PUXTON PARISH COUNCIL STANDING ORDERS

from Model Standing Orders for Smaller Parish Councils - Compiled by the Northumberland Association of Local Councils

1. Councillors

- (1) Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office of Councillor in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.
- (2) All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- (3) The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

2. Annual Meetings

- (1) If the Annual General Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- (2) If the outgoing Chair is available then he/she will preside until a new Chair has been elected. The first business of the Annual General Meeting will be the election of the Chair (and Vice Chair, if appropriate).
- (3) The Chair (even if he/she be the same one as previously), must complete a Declaration of Acceptance of Office of Chair. The Vice Chair does not have to, but may do so.
- (4) The retiring Chair will report on the activities of the Council for the preceding year.

3. Meetings

- (1) Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol. No meeting should exceed two hours in duration.
- (2) An agreed frequency of meetings will be decided at the Annual General Meeting. In any event, and in addition to the annual general meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- (3) Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must, by law, be issued at least three clear business days before the meeting. Members must notify the Clerk if they are unable to attend the meeting.
- (4) Public notices will be posted in conspicuous places informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.
- (5) Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.
- (6) Members of the public may speak at Council meetings only at the discretion of the Chair of the meeting.
- (7) The agenda for the meeting will be agreed by the Clerk, Chair and Vice Chair as appropriate.
- (8) The agenda will always include an item to enable Councillors to declare interests.
- (9) An opportunity for public participation will be made available immediately before the commencement of each meeting, under the following rules:
 - (i) Any **elector** with the parish may put a question to the meeting about a matter for which the Council has a responsibility or which affects the parish.
 - (ii) An elector seeking a response to a question at the meeting must give the clerk notice of the question at least **5 clear days** before the meeting

- (iii) Questions will not be received by the Council which are in furtherance of a person's individual circumstances or which are about a matter where there is a right of appeal to the courts, a tribunal or government minister.
 - (iv) A question will not be received by the Council where the issue it concerns has been the subject of a decision of the Council in the last 6 months.
 - (v) An elector putting a question may speak for no more than **one minute**.
 - (vi) A maximum of 15 minutes will be allowed for public questions.
 - (vii) **No discussion shall take place on any question put.** The chair may respond to the question or indicate that a written response will be made.
 - (viii) Where notice of a question has been given, a reply may be given orally at the meeting by the Chair or person nominated by the Chair, or a written reply given to the elector.
- (10) The Council may only take decisions on items clearly specified on the agenda; if agreed by the chair, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.
 - (11) The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. All reports and remarks must be made to the Chair and Members will respect the right of other Members to speak without interruption. If the Chair is not present then the Vice Chair will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chair for the whole meeting.
 - (12) The quorum for the Council will be one third of the total Councillor places but in any case not fewer than 3. If there are insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
 - (13) If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.
 - (14) Voting at the meeting shall be by a show of hands unless a majority of Councillors want a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.
 - (15) In cases of equal votes the Chair (or other person presiding) will have a second or casting vote.
 - (16) A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.
 - (17) With regard to planning applications - if there is a personal interest a statement can be made to the Parish Council meeting but then the person must leave the meeting while discussions take place

4. Finance

- (1) The Responsible Finance Officer (*RFO*) is a statutory office and appointed by the Council. The Clerk of the Council will take on this role of managing the Council's financial affairs in accordance with the Council's Financial Regulations which form a part of the Governance paperwork of this Council.

5. Risk Assessment

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

6. Freedom of Information

- (1) The Council is subject to the Freedom of Information Act and has adopted a Publication Scheme based on the ICO Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

7. Clerk to the Council

- (1) The Council may appoint employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.
- (2) The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.
- (3) The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.
- (4) As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a Job Description and a Contract of Employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chair or designated Councillor acting with the authority of the Council.

8. Committees and Task-and-Finish groups

- (1) The Council from time to time may set up committees and task-and-finish groups to undertake work on behalf of the Council. The Council will set their Terms of Reference, and they will report periodically to the Council.

9. Emergency Business

- (1) Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chair and one other Councillor. Actions will be reported promptly to the Council.

10. Alteration or Reversal of previous decisions

- (1) Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

11. Standing Orders

- (1) These standing orders will be reviewed periodically and any amendments will be decided by the Council.
- (2) During meetings, the Chair's decision as to the interpretation of the standing orders will be final.
- (3) The Council may resolve to suspend a Standing Order, in order to progress business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

Reviewed and Adopted: 3rd March 2016

Puxton Parish Council Financial Regulations

1. GENERAL

- (1) These financial regulations govern the conduct of the financial transactions of the Council and may only be amended or varied by resolution of the Council.
- (2) The Responsible Financial Officer (RFO), under the policy direction of the Council, shall be responsible for the proper administration of the Council's affairs.
- (3) The RFO shall be responsible for the production of financial management information.
- (4) The Council shall be responsible for ensuring that the financial management is adequate and effective and that the council has a system of internal controls which facilitates the effective exercise of its functions and which manages risk.
- (5) The Council shall review at least once a year the effectiveness of its systems of internal controls and shall produce a statement of internal control with its statement of accounts.

2. BUDGET AND PRECEPT

- (1) The RFO shall collate all applications for grants, and estimates from Council members of expected expenditure for the next financial year, not later than the end of November each year. The Council shall review and approve the proposed sums if deemed appropriate.
- (2) The RFO shall produce accounts for the current financial year to date, and estimates to the end of the current year. The RFO shall also produce an estimate of expenditure and income for the next financial year not later than the end of December each year.
- (3) The Council shall review and approve the estimates not later than the end of January each year and shall fix the Precept to be levied for the next financial year.
- (4) The approved budgets shall form the basis of financial control for the ensuing year.

3. BUDGETARY CONTROL

- (1) Expenditure may be incurred up to the amounts included in the approved budget.
- (2) The RFO shall regularly provide the Council with a statement of receipts and payments to date under each heading of the budget, comparing actual expenditure against that planned.
- (3) The Clerk may incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, subject to a limit of £300. The Clerk shall report the action to the Council as soon as practicable thereafter.
- (4) The Clerk, in consultation with the Chairman and /or the Vice Chairman (dependent upon their availability), may incur expenditure on behalf of the Council which is necessary to enable the furtherance of a project already agreed by the Council. This may be done where a meeting is not expected for some weeks, and where the project will be delayed by a significant period if action is not taken. The amount authorised will not exceed £300, and will be reported to the next meeting of the Council.

4. ACCOUNTING AND AUDIT

- (1) All accounting and audit procedures and financial records of the Council shall be determined by the RFO as required by current legislation.
- (2) The RFO shall be responsible for completing the annual financial statements of the Council as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- (3) The RFO shall be responsible for ensuring that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with current legislation. Councillors shall be responsible for producing such documents as required by the internal auditor.
- (4) The Council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with current legislation.
- (5) The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing with a minimum of one annual report in respect of each financial year.
- (6) The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by current legislation.
- (7) The RFO will submit the Annual Return to the External Auditor, if required, ensuring the return is complete and will publicise the accounts in accordance with then current legal requirements.

5. BANKING ARRANGEMENTS AND CHEQUES

- (1) The Council's banking arrangements shall be made by the RFO and approved by the Council. They shall be regularly reviewed for efficiency.
- (2) A schedule of current payments required, forming part of the Agenda for the meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to Council.
- (3) All items of expenditure will be authorised by the Council and the payments approved. The RFO will examine invoices and verify and certify the expenditure.
- (4) A resolution of the Council will nominate at least three members to be authorised by the Council to sign cheques.
- (5) Cheques will be completed for all transactions and signed by two authorised Councillors. Cheque stubs will be initialled by 2 councillors.
- (6) Any regular outgoing may be paid by Direct Debit or Standing Order provided that the instructions are signed by two authorised Councillors.

6. PAYMENT OF ACCOUNTS

- (7) All invoices for payment shall be examined, and verified by the Clerk. The Clerk shall satisfy him/herself that the work, goods or services to which the invoice relates have been received/carried out, examined and approved.
- (8) If a payment is necessary to avoid a charge or suspension of service before the next scheduled meeting of Council, where the RFO certifies that there is no reason to delay payment, the Clerk may pay such invoices provided that a list of such payments shall be submitted to the next appropriate meeting of Council.

7. PAYMENT OF SALARIES

- (1) The payment of all salaries shall be made in accordance with current legislation, and salaries shall be as agreed by Council.
- (2) Payment of salaries, tax, national insurance and pension contributions may be made on the appropriate dates, provided that each payment is advised to the next available Council meeting.

8. INCOME

- (1) The collection of all sums due to the Council shall be the responsibility of the RFO.
- (2) Particulars of all charges to be made for services rendered shall be reviewed regularly by the Council and notified to the RFO.
- (3) Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.
- (4) All sums received on behalf of the Council shall be banked intact as directed by the RFO with such frequency as he/she considers necessary.
- (5) 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.

9. ORDERS FOR WORK, GOODS AND SERVICES

- (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 for two years.
- (2) All members and Officers are responsible for obtaining value for money at all times. It shall be ensured as far as is reasonable and practicable that the best available terms be obtained in respect of each transaction, usually by obtaining up to three quotations or estimates from appropriate suppliers, except for professional services and goods/materials that are sold for a fixed price.
- (3) 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.

10. CONTRACTS

- (1) An official order or letter will be issued for all work or service paid for by the Council. All Councillors and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Council will ensure that good value and appropriate terms are obtained for the transaction.
- (2) Orders which are less than £500, the Clerk shall ensure that all items ordered represent good value for money. Orders for values £500 to £2000 require a minimum of two quotations; for values above £2000 three quotations are required. Contracts exceeding £60,000 require additional safeguards and will follow a tender process Any formal tender process shall comprise the following steps:
 - a public notice of intention to place a contract to be placed in a local newspaper;
 - a specification of the goods, materials, services and the execution of works shall be drawn up;
 - tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- (3) All estimates will be approved by the Council; while the Council is not obliged to accept the lowest quotation or tender. The reasons for accepting the quotation or tender will be recorded.
- (4) Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.
- (5) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

11. PROPERTIES AND ASSETS

- (1) The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the Council. The RFO shall ensure a record is maintained of all properties owned by the Council.

12. LOANS AND INVESTMENTS

- (1) All loans and investments will be negotiated in the name of the Council and will be set for a period approved by the Council.
- (2) All borrowings will be in the name of the Council and will not be entered into until necessary approvals have been given. Any application will be approved by Council, especially the terms and purpose. These terms must be reviewed annually.
- (3) All investments of money under the control of the Council will be in the name of the Council and all certificates or other documents will be retained by the RFO.

13. INSURANCE

- (1) Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the Council's insurers.
- (2) The RFO shall record all new risks, properties or assets which require to be insured and of any alterations affecting existing insurances.
- (3) 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.
- (4) All appropriate employees of the Council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the Council.

14. REVISION OF FINANCIAL REGULATIONS

- (1) It shall be the duty of the Council to review the Financial Regulations of the Council from time to time.