



ANDOVER TOWN COUNCIL

Policy & Resources Committee Meeting Agenda

Tuesday 26 April 2022

To the Members of the **Policy & Resources Committee:**

Cllr R Hughes (Chairman), Cllr S Waue (Vice Chairman), Cllr L Gregori, Cllr N Long, Cllr M Mumford and Cllr J Sangster.

(copies to all other Members of the Council)

You are hereby summoned to attend a Policy & Resources Committee meeting to be held **at The Lights, Andover on Tuesday 26 April 2022 at 6.30 pm** when it is proposed to transact the following business: -

A handwritten signature in blue ink, appearing to read 'Wendy R Coulter'.

Wendy R Coulter
Town Clerk

20 April 2022



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MEMBERS OF THE PUBLIC ARE WELCOME TO ALL MEETINGS; In line with Andover Town Council's "Recording at Meetings" Policy, Members and the public are requested to note that this meeting will be recorded by the Council, and may also be subject to the recording by members of the public.

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Item 1: Apologies for Absence

To receive and accept apologies for absence.

Item 2: Declarations of Interest

To receive and note any declarations of interests relevant to the agenda.

Item 3: Minutes of the last meeting

To agree the Minutes of the Policy and Resources Committee meeting held on 18 January 2022 - attached at **Appendix A**.

Item 4: Public Participation

There is an opportunity for members of the public to make statements or ask questions on items on the agenda or on other items relevant to the Town to which an answer may be given in the meeting and recorded in the minutes or, if necessary, a written reply will follow or the questioner will be informed of the appropriate contact details. Each person is limited to 3 minutes and the total amount of time set aside will be 15 minutes.

Item 5: Resignation from Committee

To note that Cllr R Rowles has resigned as a member of the Policy and Resources Committee.

Item 6: Financial Regulations Review

To consider a Model Financial Regulations 2019 (Reviewed 2020) for recommendation to Full Council (Annual Council – May 2022) for adoption – Model Financial Regulations attached at **Appendix B**.

Item 7: Standing Orders Review

To consider and review a revised Model Standing Orders for recommendation to Full Council (Annual Council – May 2022) for adoption – revised Model Standing Orders attached at **Appendix C**.

Item 8: Risk Management Policy

To consider a Risk Management Policy to be recommended to full Council (Council meeting in June 2022) for adoption – Risk Management Policy attached at **Appendix D**.

Item 9: Equality Policy

To consider an updated Equality Policy to comply with current legislation, for recommendation to full Council (Council meeting in June 2022) for adoption – Updated Equality Policy attached at **Appendix E**.

Item 10: Earmarked Reserves

To consider any amendments to Earmarked Reserves for recommendation to full Council (Council meeting in June 2022) – current Earmarked Reserves attached at **Appendix F.**

Item 11: Committee Structure

To consider whether the Committee Structure should be amended for the new Municipal Year starting 11 May 2022 (for approval at Annual Council May 2022) – report and suggested changes attached at **Appendix G.**

Item 12: Terms of Reference of Committees

To consider the Terms of Reference for Committees and Panels (dependent upon review of Committee Structure) (for approval at Annual Council May 2022) – revised Terms of Reference attached at **Appendix H.**

Item 13: Dates of Meetings

To consider proposed meeting dates for 2022/2023 for recommendation to full Council (Annual Council, May 2022) – Meeting dates attached at **Appendix I.**

Item 14: Internal Audit – Action Plan – Update

To note an update on the Action Plan from the Internal Audit Part 1 – Update Report attached at **Appendix J.**

Item 15: Back to Basics – Part 2

To continue to consider how the Town Council can get ‘Back to Basics’ – Back to Basics Report – Part 2 attached at **Appendix K.**

Item 16: Committee Work Programme

To review and update the current Committee Work Programme attached at **Appendix L.**

Item 17: Date of the Next Meeting

Members are requested to note the date of the next meeting: **To be confirmed after the Annual Council Meeting.**

The Chairman will close the meeting.

Appendix A: Minutes of the last meeting

A

Time and date

6.30pm, Tuesday, 18 January 2022

Place

The Lights, Andover

Details of Attendance:

Members of the Committee:

Cllr R Hughes (Chairman) (P)

Cllr S Waue (Vice Chairman) (P)

Cllr L Gregori (P)

Cllr N Long(P)

Cllr M Mumford (P)

Cllr R Rowles (A)

Cllr J Sangster (A)

Officers Present:

Wendy Coulter (Town Clerk)

Tor Warburton (Deputy Clerk) (taking the minutes)

Borough/County Councillors: Unknown

Members of the Public: Unknown

Members of the Press: Unknown

PR 032/01/22 APOLOGIES FOR ABSENCE

Apologies were received and accepted from Councillor J Sangster

PR 033/01/22 DECLARATIONS OF INTEREST

There were no Declarations of Interest in relation to any items on the agenda.

PR 034/01/22 MINUTES

It was proposed by Councillor N Long and seconded by Councillor S Waue that the Minutes of the Policy and Resources Committee meeting held on 7 December 2021 be signed by the Chairman as a correct record.

A vote was taken which was unanimous.

RESOLVED: That the Minutes of the Policy and Resources Committee meeting held on 7 December 2021 be signed by the Chairman as a correct record.

PR 035/01/22 PUBLIC PARTICIPATION

There were no comments received from Members of the Public present at the meeting.

PR 036/01/22

STAFF APPRAISALS/PAYROLL FOR INCLUSION IN BUDGET 2022/2023

Members considered a report on staff appraisals and payroll for inclusion in Budget 2022/2023.

It was requested to be Minuted for clarification, that monies cannot be taken out of the Staffing Budget or moved without a staff consultation or review taking place.

It was proposed by Councillor L Gregori and seconded by Councillor M Mumford that the following recommendations be approved and recommended to Full Council:

- The Staffing Budget of £215,000 for payroll and £2,500 for training be included in the Budget 2022/2023.
- The Staff be awarded 1 Salary Scale Increment for 2022/2023.
- The Town Clerk be moved immediately to SPC 41 with back pay for 2021 and be awarded SPC 42 from 1 April 2022.

A vote was taken which was unanimous.

RESOLVED: That the following recommendations be approved and recommended to Full Council:

- **The Staffing Budget of £215,000 for payroll and £2,500 for training be included in the Budget 2022/2023.**
- **The Staff be awarded 1 Salary Scale Increment for 2022/2023.**
- **The Town Clerk be moved immediately to SPC 41 with back pay for 2021 and be awarded SPC 42 from 1 April 2022.**

PR 037/01/22

FINANCIAL PLAN (BUDGET PLAN) FOR 2022/2023

Members considered a financial plan for 2022/2023, including the consideration of Council Reserves and CIL Monies.

It was questioned why Youth Council, Provision of Facilities in Vigo Park and Public Conveniences were still showing in the Earmarked Reserves, if the Town Council was going back to basics. It was clarified that these items would be removed once Full Council had agreed the Earmarked Reserves, as well as all other items with zero against them.

It was proposed by Councillor L Gregori and seconded by Councillor N Long that the current Earmarked Reserves be accepted and the Staffing Budget of £215,000, be included in the final Budget 2022/2023 and be recommended to Full Council for approval.

A vote was taken which was unanimous.

RESOLVED: That the current Earmarked Reserves be accepted and the Staffing Budget of £215,000, be included in the final Budget 2022/2023 and be recommended to Full Council for approval.

PR 038/01/22

DRAFT BUDGET 2022/2023

Members considered the Draft Budget 2022/2023 to be recommended to Full Council on 25 January 2022 for final consideration.

Members felt that an inflation rate of 5% should be factored into the calculation of the Draft Budget 2022/2023.

It was proposed by Councillor N Long and seconded by Councillor L Gregori that it be recommended for approval to Full Council, that the Town Clerk apply a 5% inflation increase on the previous year's budget, which would bring the Budget 2022/2023 to £370, 077.50

and the difference between that and the precept set at £21.10, be taken from General Reserves.

A vote was taken which was unanimous.

RESOLVED: That it be recommended for approval to Full Council, that the Town Clerk apply a 5% inflation increase on the previous year's budget, which would bring the Budget 2022/2023 to £370, 077.50 and the difference between that and the precept set at £21.10, be taken from General Reserves.

PR 039/01/22

BACK TO BASICS – PART 1

Members considered the first of a series of reports and discussed how the Town Council would get “Back to Basics” and run efficiently.

Some suggestions were made of certain areas that needed to be looked at; work flow and how it is carried out be looked at, panels do not seem to be working well and the Terms of References have a lack of empowerment within them. It was agreed that a Risk Policy was required, the Equality Policy and the Financial Regulations required updating, as a priority. Terms of Reference for the Human Resources (HR) Panel also required a review.

It was proposed by Councillor L Gregori and seconded by Councillor N Long that Officers be tasked to:

- Review the Financial Regulations which will feed into the Standing Orders.
- Create a Risk Policy.
- Update the Town Council Equality Policy.
- Review the Terms of Reference for the HR Panel, how they feed into the Policy and Resources Committee and the composition of the HR Panel.

A vote was taken which was unanimous.

RESOLVED: That Officers be tasked to:

- **Review the Financial Regulations which will feed into the Standing Orders.**
- **Create a Risk Policy.**
- **Update the Town Council Equality Policy.**
- **Review the Terms of Reference for the HR Panel, how they feed into the Policy and Resources Committee and the composition of the HR Panel.**

PR 040/01/22

OFFICE ACCOMMODATION - OPTIONS

Members received and discussed a report on options for the future use/location of the Town Council Offices.

A comment was made relating to the storage of documentation that must be retained for certain periods as per GDPR. Officers clarified that document archiving and storage options with costs were currently being investigated. Therefore, there would be additional costs to be considered.

(Councillor S Waue left the meeting at 7.32pm)

It was suggested that retaining the current offices should also be included as an option, presented to Full Council.

It was proposed by Councillor R Hughes and seconded by Councillor M Mumford that Officers forward all 3 options to Full Council, indicative of costings, for Council to decide on preferred options. Therefore, giving Officers the option to give the required notice to the current landlord in March 2022.

A vote was taken which was unanimous.

RESOLVED: That Officers forward all 3 options to Full Council, indicative of costings, for Council to decide on preferred options. Therefore, giving Officers the option to give the required notice to the current landlord in March 2022.

PR 041/01/22

WORK PROGRAMME

Members noted the Committee Work Programme.

PR 042/01/22

DATE OF NEXT MEETING

Members noted the date of the next meeting: **Tuesday 15 February 2022, at The Lights, Andover, starting at 6.30pm.**

The Chairman closed the meeting at 7.37pm.

Chairman

Date

ANDOVER TOWN COUNCIL MODEL FINANCIAL REGULATIONS 2019 FOR ENGLAND

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

These Financial Regulations were adopted by the council at its meeting held on [enter date].

1. General

1.1. These financial regulations govern the conduct of financial management by the council and may only be amended or varied by resolution of the council. Financial regulations are one of the council's three governing policy documents providing procedural guidance for members and officers. Financial regulations must be observed in conjunction with the council's standing orders and any individual financial regulations relating to contracts.

1.2. The council is responsible in law for ensuring that its financial management is adequate and effective and that the council has a sound system of internal control which facilitates the effective exercise of the council's functions, including arrangements for the management of risk.

1.3. The council's accounting control systems must include measures:

- for the timely production of accounts;
- that provide for the safe and efficient safeguarding of public money;
- to prevent and detect inaccuracy and fraud; and
- identifying the duties of officers.

1.4. These financial regulations demonstrate how the council meets these responsibilities and requirements.

1.5. At least once a year, prior to approving the Annual Governance Statement, the council must review the effectiveness of its system of internal control which shall be in accordance with proper practices.

1.6. Deliberate or wilful breach of these Regulations by an employee may give rise to disciplinary proceedings.

1.7. Members of council are expected to follow the instructions within these Regulations and not to entice employees to breach them. Failure to follow instructions within these Regulations brings the office of Councillor into disrepute.

1.8. The Town Clerk has been appointed as Responsible Financial Officer (RFO) for this council and these regulations will apply accordingly.

1.9. The RFO;

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

- assists the council to secure economy, efficiency and effectiveness in the use of its resources; and
- produces financial management information as required by the council.

1.10. The accounting records determined by the RFO shall be sufficient to show and explain the council's transactions and to enable the RFO to ensure that any income and expenditure account and statement of balances, or record of receipts and payments and additional information, as the case may be, or management information prepared for the council from time to time comply with the Accounts and Audit Regulations.

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

- entries from day to day of all sums of money received and expended by the council and the matters to which the income and expenditure or receipts and payments account relate;
- a record of the assets and liabilities of the council; and
- wherever relevant, a record of the council's income and expenditure in relation to claims made, or to be made, for any contribution, grant or subsidy.

1.12. The accounting control systems determined by the RFO shall include:

- procedures to ensure that the financial transactions of the council are recorded as soon as reasonably practicable and as accurately and reasonably as possible;
- procedures to enable the prevention and detection of inaccuracies and fraud and the ability to reconstruct any lost records;
- identification of the duties of officers dealing with financial transactions and division of responsibilities of those officers in relation to significant transactions;
- procedures to ensure that uncollectable amounts, including any bad debts are not submitted to the council for approval to be written off except with the approval of the RFO and that the approvals are shown in the accounting records; and
- measures to ensure that risk is properly managed.

1.13. The council is not empowered by these Regulations or otherwise to delegate certain specified decisions. In particular any decision regarding:

- setting the final budget or the precept (council tax requirement);
- approving accounting statements;
- approving an annual governance statement;
- borrowing;
- writing off bad debts;

- declaring eligibility for the General Power of Competence; and
- addressing recommendations in any report from the internal or external auditors, shall be a matter for the full council only.

1.14. In addition, the council must:

- determine and keep under regular review the bank mandate for all council bank accounts;
- approve any grant or a single commitment in excess of £1,000; and
- in respect of the annual salary for any employee have regard to recommendations about annual salaries of employees made by the relevant committee in accordance with its terms of reference.

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

In these financial regulations the term 'proper practice' or 'proper practices' shall refer to guidance issued in Governance and Accountability for Local Councils - a Practitioners' Guide (England) issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society for Local Council Clerks (SLCC).

2. Accounting and audit (internal and external)

2.1. All accounting procedures and financial records of the council shall be determined by the RFO in accordance with the Accounts and Audit Regulations, appropriate guidance and proper practices.

2.2. On a regular basis, at least once in each quarter, and at each financial year end, a member other than the Chairman or a signatory shall be appointed to verify bank reconciliations (for all accounts) produced by the RFO. The member shall sign the reconciliations and the original bank statements (or similar document) as evidence of verification. This activity shall on conclusion be reported, including any exceptions, to and noted by the Council or Policy & Resources Committee.

2.3. The RFO shall complete the annual statement of accounts, annual report, and any related documents of the council contained in the Annual Return (as specified in proper practices) as soon as practicable after the end of the financial year and having certified the accounts shall submit them and report thereon to the council within the timescales set by the Accounts and Audit Regulations.

2.4. The council shall ensure that there is an adequate and effective system of internal audit of its accounting records, and of its system of internal control in accordance with proper practices. Any officer or member of the council shall make available such documents and records as appear to the council to be necessary for the purpose of the audit and shall, as directed by the council, supply the RFO, internal auditor, or external auditor with such information and explanation as the council considers necessary for that purpose.

2.5. The internal auditor shall be appointed by and shall carry out the work in relation to internal controls required by the council in accordance with proper practices.

2.6. The internal auditor shall:

- be competent and independent of the financial operations of the council;
- report to council in writing, or in person, on a regular basis with a minimum of one annual written report during each financial year;
- to demonstrate competence, objectivity and independence, be free from any actual or perceived conflicts of interest, including those arising from family relationships; and
- has no involvement in the financial decision making, management or control of the council

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

- perform any operational duties for the council;
- initiate or approve accounting transactions; or
- direct the activities of any council employee, except to the extent that such employees have been appropriately assigned to assist the internal auditor.

2.8. For the avoidance of doubt, in relation to internal audit the terms 'independent' and 'independence' shall have the same meaning as is described in proper practices.

2.9. The RFO shall make arrangements for the exercise of electors' rights in relation to the accounts including the opportunity to inspect the accounts, books, and vouchers and display or publish any notices and statements of account required by Audit Commission Act 1998, or any superseding legislation, and the Accounts and Audit Regulations.

2.10. The RFO shall, without undue delay, bring to the attention of all councillors any correspondence or report from internal or external auditors.

3. Annual estimates (budget) and forward planning

3.1. Each committee shall review its three-year forecast of revenue and capital receipts and payments. Having regard to the forecast, it shall thereafter formulate and submit proposals for the following financial year to the Policy and Resources Committee and then Council not later than the end of November each year including any proposals for revising the forecast.

3.2. The RFO must each year, by no later than November, 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 Policy & Resources Committee and the Council.

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

3.4. The Council shall fix the precept (council tax requirement), and relevant basic amount of council tax to be levied for the ensuing financial year not later than by the end of January each year. The RFO shall

issue the precept to the billing authority and shall supply each member with a copy of the approved annual budget.

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

4. Budgetary control and authority to spend

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

- the council for all items over £5,000;
- a duly delegated committee of the council for items over £500; or
- the Clerk, in conjunction with Chairman of Council or Chairman of the appropriate committee, for any items below £500.

Such authority is to be evidenced by a minute or by an authorisation slip duly signed by the Clerk, and where necessary also by the appropriate Chairman.

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

4.2. No expenditure may be authorised that will exceed the amount provided in the revenue budget for that class of expenditure other than by resolution of the council, or duly delegated committee. During the budget year and with the approval of Council having considered fully the implications for public services, unspent and available amounts may be moved to other budget headings or to an earmarked reserve as appropriate ('virement').

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

4.4. The salary budgets are to be reviewed at least annually in October for the following financial year and such review shall be evidenced by a hard copy schedule signed by the Clerk and the Chairman of Council or relevant committee. The RFO will inform committees of any changes impacting on their budget requirement for the coming year in good time.

4.5. In cases of extreme risk to the delivery of Council services, the Town Clerk may authorise revenue expenditure on behalf of the Council which in the Town Clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit of £1,000. The Town Clerk shall report such action to the Chairman/Town Mayor as soon as possible and to the Council as soon as practicable thereafter.

4.6. No expenditure shall be authorised in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the Council is satisfied that the necessary funds are available and the requisite borrowing approval has been obtained.

4.7. All capital works shall be administered in accordance with the Council's Standing Orders and Financial Regulations relating to contracts.

4.8. The RFO shall regularly provide the Council with a statement of receipts and payments to date

under each head of the budgets, comparing actual expenditure to the appropriate date against that planned as shown in the budget. These statements are to be prepared at least at the end of each financial quarter and shall show explanations of material variances. For this purpose “material” shall be in excess of 15% of the budget.

4.9. Changes in Earmarked Reserves shall be approved by Council as part of the budgetary control process.

5. Banking arrangements and authorisation of payments

5.1. The Council's banking arrangements, including the bank mandate, shall be made by the RFO and approved by the Council; banking arrangements may not be delegated to a committee. They shall be regularly reviewed for safety and efficiency. The Council shall seek credit references in respect of members or employees who act as signatories.

5.2. The RFO shall prepare a schedule of payments requiring authorisation, forming part of the Agenda for the Meeting and, together with the relevant invoices, present the schedule to council and/or the Policy & Resources Committee. The Council / Policy & Resources Committee shall review the schedule for compliance and, having satisfied itself shall authorise payment by a resolution of the Council or Policy & Resources Committee. The approved schedule shall be ruled off and initialled by the Chairman of the Meeting. A detailed list of all payments shall be disclosed within or as an attachment to the minutes of the meeting at which payment was authorised. Personal payments (including salaries, wages, expenses and any payment made in relation to the termination of a contract of employment) may be summarised to remove public access to any personal information.

5.3. All invoices for payment shall be examined, verified and certified by the RFO to confirm that the work, goods or services to which each invoice relates has been received, carried out, examined and represents expenditure previously approved by the council.

5.4. The RFO shall examine invoices for arithmetical accuracy and analyse them to the appropriate expenditure heading. The RFO shall take all steps to pay all invoices submitted, and which are in order, at the next available Council or Policy & Resources Committee meeting.

5.5. The Town Clerk/ RFO shall have delegated authority to authorise the payment of items only in the following circumstances:

a) If a payment is necessary to avoid a charge to interest under the Late Payment of Commercial Debts (Interest) Act 1998, and the due date for payment is before the next scheduled Meeting of Council, where the Clerk/RFO certifies that there is no dispute or other reason to delay payment, provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Policy & Resources Committee;

b) An expenditure item authorised under 5.6 below (continuing contracts and obligations) provided that a list of such payments shall be submitted to the next appropriate meeting of Council or Policy & Resources Committee; or

c) fund transfers within the Councils banking arrangements up to the sum of £10,000, provided that a

list of such payments shall be submitted to the next appropriate meeting of Council or Policy & Resources Committee.

5.6. For each financial year the Town Clerk / RFO shall draw up a list of due payments which arise on a regular basis as the result of a continuing contract, statutory duty, or obligation (such as but not exclusively) Salaries, PAYE and NI, Superannuation Fund and regular maintenance contracts and the like for which Council or a duly authorised committee, may authorise payment for the year provided that the requirements of regulation 4.1 (Budgetary Controls) are adhered to, provided also that a list of such payments shall be submitted to the next appropriate meeting of Council or Policy & Resources Committee.

5.7. A record of regular payments made under 5.6 above shall be drawn up and be signed by two members on each and every occasion when payment is authorised - thus controlling the risk of duplicated payments being authorised and / or made.

5.8. In respect of grants a duly authorised committee shall approve expenditure within any limits set by Council and in accordance with any policy statement approved by Council. Any Revenue or Capital Grant in excess of £1,000 shall before payment, be subject to ratification by resolution of the council.

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

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

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

6. Instructions for the making of payments

6.1. The Council will make safe and efficient arrangements for the making of its payments.

6.2. Following authorisation under Financial Regulation 5 above, the Council, a duly delegated committee or, if so delegated, the Town Clerk/RFO shall give instruction that a payment shall be made.

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

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

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

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

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

6.8. If thought appropriate by the council, payment for certain items (principally salaries) may be made by banker's standing order provided that the instructions are signed, or otherwise evidenced by two members are retained and any payments are reported to council as made. The approval of the use of a banker's standing order shall be renewed by resolution of the Council at least every two years.

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

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

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

6.12. No employee or Councillor shall disclose any PIN or password, relevant to the working of the Council or its bank accounts, to any person not authorised in writing by the Council or a duly delegated committee.

6.13. Regular back-up copies of the records on any computer shall be made and shall be stored securely away from the computer in question, and preferably off site.

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

6.15. Where internet banking arrangements are made with any bank, the Town Clerk/RFO shall be appointed as the Service Administrator. The bank mandate approved by the Council shall identify a number of councillors who will be authorised to approve transactions on those accounts. The bank mandate will state clearly the amounts of payments that can be instructed by the use of the Service Administrator alone, or by the Service Administrator with a stated number of approvals.

6.16. Access to any internet banking accounts will be directly to the access page (which may be saved under "favourites"), and not through a search engine or e-mail link. Remembered or saved passwords facilities must not be used on any computer used for council banking work. Breach of this Regulation will be treated as a very serious matter under these regulations.

6.17. Changes to account details for suppliers, which are used for internet banking may only be changed on written hard copy notification by the supplier and supported by hard copy authority for change signed by the Town Clerk/RFO. A programme of regular checks of standing data with suppliers will be followed.

6.18. Any Debit Card issued for use will be specifically restricted to the Clerk and will also be restricted to a single transaction maximum value of £250 unless authorised by Council or Policy & Resources Committee in writing before any order is placed.

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

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

[6.21. The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO with a claim for reimbursement.

a) The RFO shall maintain a petty cash float of £250 for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment.

b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations.

c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above.

7. Payment of salaries

7.1. As an employer, the Council shall make arrangements to meet fully the statutory requirements placed on all employers by PAYE and National Insurance legislation. The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently

operating, and salary rates shall be as agreed by Council, or Policy & Resources Committee.

7.2. Payment of salaries and payment of deductions from salary such as may be required to be made for tax, national insurance and pension contributions, or similar statutory or discretionary deductions must be made in accordance with the payroll records and on the appropriate dates stipulated in employment contracts, provided that each payment is reported to the next available Council meeting, as set out in these regulations above.

7.3. No changes shall be made to any employee's pay, emoluments, or terms and conditions of employment without the prior consent of the Council or Policy & Resources Committee.

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

a) by any Councillor who can demonstrate a need to know;

b) by the internal auditor;

c) by the external auditor; or

d) by any person authorised under Audit Commission Act 1998, or any superseding legislation.

7.5. The total of such payments in each calendar month shall be reported with all other payments as made as may be required under these Financial Regulations, to ensure that only payments due for the period have actually been paid.

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

7.7. Any termination payments shall be supported by a clear business case and reported to the Council. Termination payments shall only be authorised by Council.

7.8. Before employing interim staff, the Council must consider a full business case.

8. Loans and investments

8.1. All borrowings shall be affected in the name of the Council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by Council as to terms and purpose. The application for borrowing approval, and subsequent arrangements for the loan shall only be approved by full Council.

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

the proposed transaction.

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

8.4. All loans and investments shall be negotiated in the name of the Council and shall be for a set period in accordance with Council policy.

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

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

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

8.8. Payments in respect of short term or long-term investments, including transfers between bank accounts held in the same bank, or branch, shall be made in accordance with Regulation 5 (Authorisation of payments) and Regulation 6 (Instructions for payments).

9. Income

9.1. The collection of all sums due to the Council shall be the responsibility of and under the supervision of the RFO.

9.2. Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the Council, notified to the RFO and the RFO shall be responsible for the collection of all accounts due to the Council.

9.3. The Council will review all fees and charges at least annually, following a report of the Town Clerk.

9.4. Any sums found to be irrecoverable and any bad debts shall be reported to the Council and shall be written off in the year.

9.5. All sums received on behalf of the Council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the Council's bankers with such frequency as the RFO considers necessary.

9.6. The origin of each receipt shall be entered on the paying-in slip.

9.7. Personal cheques shall not be cashed out of money held on behalf of the Council.

9.8. The RFO shall promptly complete any VAT Return that is required. Any repayment claim due in accordance with VAT Act 1994 section 33 shall be made at least annually coinciding with the financial year end.

9.9. Where any significant sums of cash are regularly received by the Council, the RFO shall take such steps as are agreed by the Council to ensure that more than one person is present when the cash is

counted in the first instance, that there is a reconciliation to some form of control such as ticket issues, and that appropriate care is taken in the security and safety of individuals banking such cash.

10. Orders for work, goods and services

10.1. An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained.

10.2. Order books shall be controlled by the RFO.

10.3. All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order shall ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11.1 below.

10.4. A member may not issue an official order or make any contract on behalf of the Council.

10.5. The RFO shall verify the lawful nature of any proposed purchase before the issue of any order, and in the case of new or infrequent purchases or payments, the RFO shall ensure that the statutory authority shall be reported to the meeting at which the order is approved so that the minutes can record the power being used.

11. Contracts

11.1. Procedures as to contracts are laid down as follows:

a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that this regulation need not apply to contracts which relate to items (i) to (vi) below:

i. for the supply of gas, electricity, water, sewerage and telephone services;

ii. for specialist services such as are provided by legal professionals acting in disputes;

iii. for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;

iv. for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;

v. for additional audit work of the external auditor up to an estimated value of £500 (in excess of this sum the Town Clerk/RFO shall act after consultation with the Chairman and Vice Chairman of Council); and

vi. for goods or materials proposed to be purchased which are proprietary articles and / or are only sold at a fixed price.

b) Where the Council intends to procure or award a public supply contract, public service contract or public works contract as defined by The Public Contracts Regulations 2015 ("the Regulations") which is

valued at £25,000 or more, the Council shall comply with the relevant requirements of the Regulations

c) The full requirements of The Regulations, as applicable, shall be followed in respect of the tendering and award of a public supply contract, public service contract or public works contract which exceed thresholds in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time) .

d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the Council.

e) Such invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk in the ordinary course of post. Each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.

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

g) Any invitation to tender issued under this regulation shall be subject to Standing Orders[], [insert reference of the council's relevant standing order] and shall refer to the terms of the Bribery Act 2010.

h) When it is to enter into a contract of less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk or RFO shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £3,000 and above £500 the Town Clerk or RFO shall strive to obtain 3 estimates. Otherwise, Regulation 10.3 above shall apply.

i) The Council shall not be obliged to accept the lowest or any tender, quote or estimate.

j) Should it occur that the Council, or duly delegated committee, does not accept any tender, quote or estimate, the work is not allocated and the Council requires further pricing, provided that the specification does not change, no person shall be permitted to submit a later tender, estimate or quote who was present when the original decision-making process was being undertaken.

12. Payments under contracts for building or other construction works

12.1. Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract).

12.2. Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council.

12.3. Any variation to a contract or addition to or omission from a contract must be approved by the Council and Clerk to the contractor in writing, the Council being informed where the final cost is likely to exceed the financial provision.

12. Assets, properties and estates

13.1. The Clerk shall make appropriate arrangements for the custody of all title deeds and Land Registry Certificates of properties held by the council. The RFO shall ensure a record is maintained of all properties held by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Accounts and Audit Regulations.

13.2. No tangible moveable property shall be purchased or otherwise acquired, sold, leased or otherwise disposed of, without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £250.

13.3. No real property (interests in land) shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

13.4. No real property (interests in land) shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council in respect of valuation and surveyed condition of the property (including matters such as planning permissions and covenants) together with a proper business case (including an adequate level of consultation with the electorate).

13.5. Subject only to the limit set in Regulation 13.2 above, no tangible moveable property shall be purchased or acquired without the authority of the full council. In each case a report in writing shall be provided to council with a full business case.

13.6. The RFO shall ensure that an appropriate and accurate Register of Assets and Investments is kept up to date. The continued existence of tangible assets shown in the Register shall be verified at least annually, possibly in conjunction with a health and safety inspection of assets.

14. Insurance

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

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

14.3. 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.

14.4. All appropriate members and employees of the Council shall be included in a suitable form of

security or fidelity guarantee insurance which shall cover the maximum risk exposure as determined annually by the Council, or duly delegated committee.

15. Risk management

15.1. The Council is responsible for putting in place arrangements for the management of risk. The Town Clerk/RFO] shall prepare, for approval by the Council, risk management policy statements in respect of all activities of the Council. Risk policy statements and consequential risk management arrangements shall be reviewed by the Council at least annually.

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

16. Suspension and revision of Financial Regulations

16.1. It shall be the duty of the Council to review the Financial Regulations of the Council from time to time. The Town Clerk shall make arrangements to monitor changes in legislation or proper practices and shall advise the council of any requirement for a consequential amendment to these Financial Regulations.

16.2. The Council may, by resolution of the Council duly notified prior to the relevant meeting of Council, suspend any part of these Financial Regulations provided that reasons for the suspension are recorded and that an assessment of the risks arising has been drawn up and presented in advance to all members of Council.

The Model Financial Regulations templates were produced by the National Association of Local Councils (NALC) in July 2019 for the purpose of its member councils and county associations. Every effort has been made to ensure that the contents of this document are correct at time of publication. NALC cannot accept responsibility for errors, omissions and changes to information subsequent to publication.

NOTE: Changes in BLUE type are suggested additions and changes in RED type are suggested deletions.

The financial standing orders will require aligning with the updated Financial Regulations.

It is ONLY the content of SO's to be considered at P&R – the formatting and referencing will be completed for approval by full Council.

MODEL STANDING ORDERS

FEB 2022

NALC 2018 revised 2020

MODEL STANDING ORDERS 2018 (ENGLAND)

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INTRODUCTION

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council’s standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council’s Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

DRAFTING NOTES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council’s needs. It is NALC’s view that all model standing orders will generally be suitable for councils.

For convenience, the word “councillor” is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this ‘()’ requires information to be inserted by a council. A model standing order that includes brackets like this ‘[]’ and the term ‘OR’ provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.

- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (3) minutes without the consent of the chairman of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for sub-committee meetings	●

- a Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
 - b The minimum of three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, (a Saturday), a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
 - c The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
 - d Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
 - e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
 - f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed (15) minutes unless directed by the chairman of the meeting.
 - g Subject to standing order 3(f), a member of the public shall not speak for more than (3) minutes.
 - h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
 - i A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
 - j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
 - l Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the
 -

public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

- m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- p 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 there is one) 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.
- q Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- r The 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 his casting vote whether or not he gave an original vote.
See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- s Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;

- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. if there was a public participation session; and
- vi. the resolutions made.

- U The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.

- V **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 right to participate and vote on that matter.**

- W **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

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

- X **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.

- Y A meeting shall not exceed a period of two hours unless by unanimous agreement of all the councillors present and the Town Clerk.

4. COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d Unless otherwise decided by the Council, the Policy & Resources, Allotments and Planning Committees shall be known as Standing Committees.
- e Apologies for absence must be received by the Proper Officer at least 2 days prior to the meeting unless there are extenuating circumstances.
- f The Council may appoint standing committees or other committees, working groups or panels as may be necessary, and:

- i. shall determine their terms of reference;
- ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- iii. shall permit a **committee / working groups / panels** other than in respect of the ordinary meetings of a standing committee, to determine the number and time of its meetings;
- iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a **committee / working groups / panels**;
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer **(5)** days before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- vii. **other than a standing committee**, shall permit a committee, sub-committee, **working group or panel**, to appoint its own chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee, sub-committee, **working group or panel** which, in all cases, shall be no less than three;
- ix. shall determine if the public and press are permitted to attend the meetings of a committee, sub-committee, **working group or panel** and also the advance public notice requirements, if any, required for the meetings of a committee, sub-committee, **working group or panels**.
- x. shall determine if the public may participate at a meeting of a committee, sub-committee, **working group or panel** that they are permitted to attend; and
- xi. may dissolve a committee, sub-committee, **working group or panel**.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at **6.30pm**.**
- 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 decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**

- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current 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 shall preside at the annual meeting until a new Chairman of the Council has been elected. He 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 of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;

- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

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 in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee, sub-committee, [working group or panel](#) may convene an extraordinary meeting of the committee, sub-committee, [working group or panel](#) at any time.
- d If the chairman of a committee , sub-committee, [working group or panel](#) does not call an extraordinary meeting within 7 days of having been requested to do so by 3 members of the committee, sub-committee, [working group or panel](#) 3 members of the committee , sub-committee, [working group or panel](#) may convene an extraordinary meeting of the committee , sub-committee, [working group or panel](#).
- e [If a person or persons decide to call an extraordinary meeting, the Responsible Officer must be informed of that decision with a clear description of the important business. The Responsible Officer will then ensure that the notices and summonses, giving three clear working days' notice of the extraordinary meeting are published and sent as soon as practical.](#)

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least **(10)** councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting *or a Sunday, a Saturday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.*
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least **7** clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

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

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

11. MANAGEMENT OF INFORMATION

See also standing order 20.

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

12. DRAFT MINUTES

Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for sub-committee meetings	●

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

- e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.**
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer **OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required]** and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.

- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required].
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area;**
or
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**

- **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

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

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least **(6)** days before the meeting confirming his withdrawal of it;
- 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. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed; (*see also standing order 23*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] OR Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR Planning committee;
- xvi. manage access to information about the Council via the publication scheme; and

- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

(see also standing order 23).

16. RESPONSIBLE FINANCIAL OFFICER

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

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The Annual Governance and Accountability Return (AGAR) 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.

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;

- ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) 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 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c. **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 18(d) below;**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
 - e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **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 two 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.

- g. **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 two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19. HANDLING STAFF MATTERS

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

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. **[If gross annual income or expenditure (whichever is higher) does not exceed £25,000] The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

OR

[If gross annual income or expenditure (whichever is the higher) exceeds £200,000] The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list). See also standing order 11.

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

22. RELATIONS WITH THE PRESS/MEDIA

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

23. EXECUTION AND SEALING OF LEGAL DEEDS

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **[Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

The above is applicable to a Council with a common seal.

OR

- b. **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

The above is applicable to a Council without a common seal.

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council. [Except where the Town Council reserves the right to prohibit attendance from District and County Councillors who are not members of the Town Council under extenuating circumstances and by resolution.](#)
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

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

26. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least (3) councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Appendix D: DRAFT Risk Management Policy

D

ANDOVER TOWN COUNCIL

RISK MANAGEMENT POLICY – 2022 (February 2022)

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The General Data Protection Regulation (GDPR) standardizes data protection law across all 28 EU countries and imposes strict new rules on controlling and processing personally identifiable information (PII). It also extends the protection of personal data and data protection rights by giving control back to EU residents. GDPR replaces the 1995 EU Data Protection Directive and goes into force on May 25, 2018. It also supersedes the 1998 UK Data Protection Act.

GDPR PRIVACY STATEMENT

(General Data Protection Regulations)

This is a privacy statement of Andover Town Council. Our registered office address is 68b High Street, Andover, Hampshire, SP10 1NG.

1. Policy Statement

- 1.1. Andover Town Council (ATC) recognises that, in addition to its statutory duties, it has a responsibility to manage risks effectively in order to protect the community, its employees and assets against potential losses and ensure clarity of action. Risk management is an integral part of the Councils management process.
- 1.2. ATC is aware that some risks can never be eliminated fully, and it has in place a strategy that provides a structured, systematic and focused approach to managing risk.

2. Introduction

2.1. This document forms the Council's Risk Management Strategy. It sets out:

- a. What risk management is
- b. Why ATC needs a risk management strategy
- c. The benefits of risk management
- d. Roles and responsibilities of members, staff and others;
- e. How the strategy will be implemented

2.2 The objectives of this strategy are to:

- a. Identify risks
- b. Put in controls to minimise risk
- c. Integrate risk management into the culture of the council
- d. Embed risk management through the ownership and management of risk as part of all decision-making processes
- e. Further develop risk management and raise its profile across the council
- f. Manage risk in accordance with best practice
- g. Consider and respond to changing social, environmental and legislative requirements

2.3 These objectives will be achieved by:

- a. Establishing clear roles and responsibilities and awareness, including use of training as appropriate
- b. Incorporating risk management considerations into the Council's management process – for instance, in considering new projects

3. What is Risk Management?

3.1. 'Risk is the threat that an event or action will adversely affect an organisation's ability to achieve its objectives and to successfully execute its strategies. Risk management is the process by which risks are identified, evaluated and controlled. It is a key element of the framework of governance together with community focus, structures and processes, standards of conduct and service delivery arrangements¹. Audit Commission, Worth the Risk: Improving Risk Management in Local Government, (2001:5).

3.2. Risk management is an essential feature of good governance. An organisation that manages risk well, is more likely to achieve its objectives. It is vital to recognise that risk management is not simply about health and safety but applies to all aspects of the Council's work.

3.3 Risks can be classified into various types but it is important to recognise that for all categories, the direct financial losses may have less impact than the indirect costs, such as disruption of normal working. The examples below are not the only examples:

a. **Strategic Risk** – long-term adverse impacts from poor decision making, poor implementation, inadequate resourcing or failure to respond to change. Failure to address risk can result in damage to the reputation of the Council, loss of public confidence, or in a worst case scenario, stimulate Government intervention.

b. **Compliance Risk** – failure to comply with legislation, laid down procedures or the lack of documentation to prove compliance. This risks exposure to prosecution, judicial review, employment tribunals and/or the inability to enforce contracts.

c. **Financial Risk** – fraud and corruption, waste, excess demand for services, bad debts. This presents risk of additional audit investigations, objection to accounts, reduced service delivery, dramatically increased Council Tax levels/impact on Council reserves.

d. **Operating Risk** – failure to deliver services effectively, malfunctioning equipment, hazards to service users, the general public or staff, damage to property. Presenting risk of insurance claims, higher insurance premiums, lengthy recovery process.

3.4 Not all these risks are insurable and for some, the premiums may not be cost effective. Even where insurance is available, a monetary consideration might not be an adequate recompense. The emphasis should always be on eliminating or reducing risk before costly steps to transfer risk to another party are considered.

3.5 Risk is not restricted to potential threats but can arise from missed opportunities. Good risk management can facilitate proactive, rather than merely defensive responses. Measures to manage adverse risks are likely to help with managing positive ones.

4. Why does ATC need a Risk Management Strategy?

4.1. Risk management will strengthen the ability of the Council to achieve its objectives and enhance the value of services provided.

4.2. The Risk Management Strategy will help to ensure that all committees/service areas understand risk and that the Council adopts a uniform approach to identifying and prioritising risks. This should, in turn, lead to conscious choices as to the most appropriate method of dealing with each risk, be it elimination, reduction, transfer or acceptance.

4.3. Strategic risk management is also an important element in demonstrating continuous service improvement.

4.4. There is a requirement under successive Accounts and Audit Regulation to establish and maintain a systematic strategy, framework and process for managing risk.

5. Benefits of Risk Management

- 5.1. Risk management is regarded as an essential element of good governance and as an integral part of internal control. It provides the foundation for effective management throughout the Council and focuses attention on the achievement of corporate objectives together with a consistent and structured approach to risk. Managing risk in this way delivers many other benefits to the Council as set out below:
- a. The process provides a fully documented record of all major risks and opportunities
 - b. The risk of failure of any initiative is reduced and, due to advance consideration of risk, fewer opportunities will be missed. There is also greater innovation in seizing opportunities.
 - c. Staff can communicate their prioritised risks to members, therefore enabling focus on those risks and properly evaluated risk decisions. There is also an enhanced ability to justify actions taken.
 - d. The Council can anticipate emerging issues in an ongoing and organised manner before they reach unmanageable proportions.
 - e. To be effective, risk management requires input and ideas from all staff and members. This creates a culture of risk ownership.
 - f. Embedded risk management satisfies Corporate Governance requirements.
 - g. The Council's reputation is protected and enhanced.
 - h. The Council should receive fewer complaints and will have a more satisfied community as a result.
 - i. Income can be maximised and expenditure reduced.

6. Responsibilities

6.1. Andover Town Council recognises that it has a responsibility to manage risks effectively in order to protect its employees, assets, liabilities and community against potential losses, to minimise uncertainty in achieving its goals and objectives and to maximize its opportunities.

6.2. The Town Council is aware that some risks can never be eliminated fully, and its strategy provides a structured, systematic and focused approach to managing risk.

6.3. This policy places a responsibility on all Members and Officers to have regard for risk in carrying out their duties. Its purpose is to enable the Council to manage its risks through anticipation and control.

6.4. Risk management is only considered to be truly embedded when it functions as part of the Council's day to day operations. For this to be achieved, it is vital that clarity exists to determine the various roles and responsibilities of individuals involved throughout the Council in the risk management process.

6.5 To ensure that this level of clarity exists, the Council has established a structure that sets out how Members, Officers and the various Committees and other stakeholders contribute to the overall risk management process.

7. All Members Duties

7.1. To consider and if appropriate, approve and regularly review the Risk Management Strategy and Policy Statement.

7.2 To consider the risk motivators and risk priorities

7.3 To consider and, if appropriate, approve the action in response to risks proposed by officers

7.4 To share collective responsibility to understand and manage the strategic risks that the Town Council faces

7.5 To ensure that all identified risks have been considered in decision making

7.6 To monitor the effectiveness of the Town Council's risk management arrangements by reviewing any risk management report to Policy & Resources Committee and Council.

7.7 To familiarise themselves with the procedures needed to manage and operate in a crisis through the Town Council's agreed Emergency Plan and Delegation Scheme.

7.8 To seek assurances that action is being taken on risk related issues identified by auditors and inspectors and request regular updates

7.9 To include consideration of risk as standard in proposing and discussing all motions to Council.

8. Town Clerk

8.1 To promote the Council's Risk Management Strategy, Policy Statement and framework.

8.2 To be responsible for managing the Council's key risks including the assessment of risks.

8.3 To encourage a culture of shared responsibility and open communication of risks.

8.4 To be the lead officer responsible for risk management and implementation of the Risk Management Strategy.

8.5 To be responsible for the management of strategic and operational risks that the Town Council faces and to oversee the effective mitigation of these risks by officers.

8.6 To ensure that risks are fully considered in all strategic decision making and that the Risk Management Strategy helps the Town Council to achieve its objectives and protection of assets.

8.7 Provide advice as to the legality of policy and service delivery and update the Town Council on the implications of new or revised legislation.

8.8 Assess and implement Council's insurance requirements.

9. Policy and Resources Committee

9.1. Support the Town Clerk in all aspects of risk management.

9.2 Understand the strategic and operational risks that the Town Council faces.

9.3 Ensure that a structured and systematic approach is in place for the identification, recording and reporting of risks and opportunities.

9.4 Ensure that risks are fully considered in all decision making and that the Risk Management Strategy

helps the Town Council to achieve its objectives and protection of assets.

9.5 Assist in embedding a culture of risk management through the Town Council and encourage appropriate training.

10. Responsible Finance Officer: As the Council's Section 151 Officer

- 10.1 Assess the financial implications of any initiative or decision reached by the Council.
- 10.2 Assess the financial implications of strategic policy options.
- 10.3 Advise on budgetary planning and control
- 10.4 Ensure that the Financial Information System (EdgeIT) allows effective budgetary control
- 10.5 Maintain the Council's Risk Register
- 10.6 Effectively manage the Council's investment and loan portfolio (as appropriate).

11. All Employees

- 11.1 Consider risk as part of everyday activities and provide input to the risk management process
- 11.2 Manage risk effectively in their work in accordance with the Risk Management Strategy, health and safety legislation, Policy Statement and framework and report any threats or risks identified to the Town Clerk.
- 11.3 Understand their accountability for individual risk
- 11.4 Understand how they can enable continuous improvement of risk management
- 11.5 Understand that risk management and risk awareness are a key part of the organisation's culture
- 11.6 Attend any targeted risk-related training, as requested
- 11.7 Report systematically and promptly any perceived new risk or failure of existing control measures
- 11.8 Record areas of risk which fall directly within their day to day areas of control and review in line with agreed target dates
- 11.9 Play a pro-active role in the reporting and assessing of physical risks in respect of public, staff and property.

12. Role of Internal Audit

- 12.1 To act as scrutiny, by understanding audits to provide independent assurance to Members that necessary risk management systems are in place
- 12.2 To assist with the development and review of a Risk Management Strategy, Policy Statement and framework
- 12.3 To support the Town Council in developing and implementing risk management
- 12.4 To provide independent assurance on the way risks are managed.

13. Implementing the Strategy

13.1 Risk Control:

Risk Control is the process of taking action to minimise the likelihood of the risk event occurring and/or reducing the severity of the consequences should it occur. Typically, risk control requires the

identification and implementation of revised operating procedures but in exceptional cases more drastic action will be required to reduce the risk to an acceptable level. Options for control include:

- a. Elimination – the circumstances from which the risk arises are removed so that the risk no longer exists
- b. Reduction – loss control measures are implemented to reduce the impact/likelihood of the risk occurring
- c. Transfer – the financial impact is passed to others e.g. by revising contractual terms
- d. Sharing – the risk is shared with another party
- e. Insuring – insurance against some or all of the risk to mitigate financial impact; and
- f. Acceptance – documenting a conscious decision after assessment of areas where the Council accepts or tolerates risk.

13.2 Risk Monitoring:

The risk management process does not finish with putting any risk control procedures in place. Their effectiveness in controlling risk must be monitored and reviewed. It is also important to assess whether the nature of any risk has changed over time. The information generated from applying the risk management process will help to ensure that risks can be avoided or minimised in the future. It will also inform judgements on the nature and extent of insurance cover and the balance to be reached between self-insurance and external protection.

13.3 Risk Management System Risk Identification:

Identifying and understanding the hazards and risks facing the Town Council is crucial if informed decisions are to be made about policies or delivery methods. The risks associated with these decisions can then be effectively managed. Risk Analysis – Once risks have been identified they need to be systematically and accurately assessed using proven techniques. Analysis should make full use of any available data on the potential frequency of events and their consequences. If a risk is seen to be unacceptable, then steps need to be taken to control or respond to the risk. Risk Prioritisation – An assessment should be undertaken of a) the impact and b) the likelihood of risks occurring, with impact and likelihood being scored using a matrix. This will require a numeric value to be given to both the likelihood of the risk happening and the severity of the impact if it did, based upon the following aggregate scoring:

Low = 1 to 5

Medium = 6 to 11

High = 12 to 25

Where a residual risk is low, further action will only be taken where it is viable to do so. Medium risks will be addressed within the next 3 to 6 months. High risks will require action as soon as possible.

14. Conclusion

The adoption of a sound risk management approach should achieve many benefits for the Town

Council. It will assist in demonstrating that the Town Council is committed to continuous service improvement and effective corporate governance.

15. Document Information

Title:	Risk Management Policy
Status:	1 st Draft
Version:	22 January 2022
Consultation:	Policy & Resources Committee
Approved by:	
Approval Date:	
Review Frequency:	Every three years or if change occurs
Next Review:	January 2025

16. Document Control

Date	Version	Description	Sections Affected	Approved by
Feb 2022	1	1 st Draft	All	Policy & Resources Committee
				Council
				Council

Disclaimer:

A printed version may not be the current version.

A current version may be obtained in the required format from the Town Clerk's Office at Andover Town Council.

Appendices

Appendix 1

Categories of Risk

The Risks facing the organisation can be split into Strategic and Operational

STRATEGIC Risks which may threaten the achievement of the Town Council's objectives	OPERATIONAL Risks which Members and Officers may encounter in the daily course of their work
Political:	Professional: Professional competencies of officers

Failure to deliver key objectives or policies of other levels of Government	
Use of political allegiance to influence Council policies	
Economic: The Town Council's ability to meet its financial commitments	Financial: Financial planning and control and the adequacy of insurance cover
Social: The effects in changes in demographic, residential or socio-economic trends on the Council's ability to deliver its objectives	Legal: Possible breaches of legislation
Technological: The Council's capability to deal with technological change or its ability to use technology to meet changing demands	Physical: Fire, security, accident prevention and health & safety
Legislative: Current or potential changes in national, or international law	Contractual: The failure of contractors (including the Councils itself) to deliver services or goods to agreed costs and specifications
Environmental: The environmental consequences of service delivery (in terms of energy efficiency, pollution, recycling, emissions etc.).	Technological: Reliance on operational equipment (IT systems or equipment and machinery)
Competitive: The competitiveness of the service/ability to deliver best value	Environmental: Pollution, noise or energy efficiency of on-going service operation
Customer: Failure to recognise the changing needs and expectations of the community	

Appendix 2

Processes

In line with best practice, the Town Council has adopted a seven-step process to support the implementation of risk management and help maintain impetus.

	Steps	
1	Identifying Risk	Risks will be identified during the service delivery planning process and cross-referenced where possible, to key tasks and to the achievement of corporate objectives.
2	Analysing Risk	Risks will be assessed against probability and impact of the identified risks using the Council's approved evaluation criteria to give a risk score
3	Profiling Risk	The evaluation exercise will result in a risk score from which significant risks can be established.
4	Prioritising action	Risks will be entered in the risk register detailing the inherent risk score, existing controls and residual risk score.

5	Determining action	Further actions required to reduce the threat of the risk occurring or minimise its impact will be stated in the risk register. Target dates and assignment of responsibility will also be stated.
6	Controlling risk	The specified actions will be carried out as stated in the risk register.
7	Monitoring	The Policy & Resources Committee will keep the risk register under review and progress against further actions identified will be monitored quarterly. The register will be updated as actions are achieved and risk scores amended as appropriate. The identification of risks should be a continual process and risks emerging throughout the year should be evaluated and, where necessary, added to the register.

Appendix 3

Risk Management Matrix

Assessment Impact					
		Financial	Reputation	Stakeholder	Community/Customers
1	Negligible	Under £500	Minimal loss of public trust	Minimal Impact on stakeholder business arrangements	Minimal impact or disruption to community contained within a community area
2	Minor	£501 - £1000	Slight loss of trust with no lasting impact. Little adverse publicity	Minor impact on stakeholder business arrangements	Minor impact to community and community dissatisfaction. Limited service disruption
3	Moderate	£1001 - £5000	Moderate loss of trust that received significant adverse publicity locally with no lasting impact	Moderate disruption to stakeholder arrangements	Moderate impact to community and customer dissatisfaction. Moderate service disruption
4	Major	£5001 - £10,000	Significant loss of trust and receives local media attention. Potential for lasting impact	Significant disruption and opposition from stakeholders	Significant service disruption and community opposition. Threat of legal action
5	Catastrophic	Over £10,000	Significant loss of trust and received national media attention with potential for persisting impact	Major disruption to and strong opposition from stakeholders who represent vulnerable clients	Major service disruption. Significant community opposition. Legal action. Long-term public memory

Appendix 4

Assessment Impact				
		Safety	Health	Environmental
1	Negligible	First aid case, with no time lost time. Negligible safety impact	Mid health effect for short period	Minimal environmental impact
2	Minor	Minor injury (worker or third party). Medical treatment beyond first aid	Reversible health effect. Minor illness	Local impact requiring response, but from which there is a natural recovery
3	Moderate	Single major injury	Irreversible health effect, for example, loss of hearing. Serious illness from which there is full recovery	Moderate environmental impact, requiring response to aid recovery. Reportable to authorities
4	Major	Multiple major injuries which may result in permanent disabilities	Life shortening health effect. Health effect causing significant irreversible disabilities	Major environmental incident resulting in significant impact requiring management by external authorities
5	Catastrophic	Death	Death	Extreme environmental incident, resulting in irreversible long term or widespread harm

Likelihood Ranges

	Description	Guidance	Probability Range
1	Improbable	Very remote probability that the event would occur	<1%
2	Remote	Event may occur only in exceptional circumstances	1 – 10%
3	Possible	Event could occur at some time	11 – 50%
4	Probable	Event should occur at some time	51 – 90%
5	Almost Certain	Event will occur in most circumstances	>90%

Appendix 5

Impact	5	10	15	20	25
	4	8	12	16	20
	3	6	9	12	15
	2	4	6	8	10
	1	2	3	4	5

	Likelihood
--	-------------------

- Red Risk:** Unacceptable Risk. Reduce Risk by mitigation. Transfer Risk
- Amber Risk:** Reduce risk by mitigation. Review regularly
- Yellow Risk:** Tolerate risk. Review control measures
- Green Risk:** Acceptable risk. Monitor risk.

Appendix E: DRAFT Equality Policy

E

Equality Policy	
Produced for: Policy and Resources Committee	Date of Report: Tuesday 12 April 2022
Background The Equality Act 2010 provides that the Town Council has statutory duties and other responsibilities arising from equality legislation such as equal access for members of the public and equality in recruitment and in the management of employees, with reference to protected characteristics. The Town Council must ensure that its Equality Policy is kept up to date.	
Change in Legislation Changes were made to the Equality Act in 2021 and the Town Council's Equality Policy requires amending to ensure it is up to date.	
Amended Policy Additions have been made to the Equality Policy to bring it up to date with current legislation. The amended Equality Policy is attached at Annex 1. The additions are in blue font . The Equality Policy with amendments has been through a 3 rd party assessment which has verified that the additions are sufficient for the current legislation requirements.	

Legal and Policy Implications

The Legal Implications are contained within the report and attached Equality Policy.

Recommendations

To approve the amended Equality Policy and recommend to full Council for adoption.

Note: The person to contact about this report is Wendy Coulter (Town Clerk), Andover Town Council, 68B, High Street, Andover, Hampshire. SP10 1NG.

Tel: 01264 335592

Email: townclerk@andovertc.co.uk

Website: www.andover-tc.gov.uk

Distribution: To all Councillors

ANDOVER TOWN COUNCIL

EQUALITY AND DIVERSITY POLICY – 2022 (April 2022)

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1	Introduction	
2	The Aim	
3	The Definition of Equality	
4	The Definition of Diversity	
5	Scope	
6	Policy Statement	
7	Equality Commitments	
8	Implementation	
9	Monitoring and Review	
10	Document Information	
11	Document Control	

1. Introduction

The aim of this policy is to communicate the commitment of Andover Town Council, its Members and Officer(s) to meeting the Equality Act 2010 (amended April 2021) and the Public Sector Equality Duty, which came into force on 5 April 2011. The Equality Duty applies to public bodies and others carrying out public functions. It supports good decision-making by ensuring public bodies consider how different people will be affected by their activities, helping

them to deliver policies, representation and services which are efficient and effective; accessible to all; and which meet different people's needs; the promotion of equality and diversity in relation to Andover Town Council.

2. The Aim

Andover Town Council aims to create a culture that respects and values each other's differences, that promotes dignity, equality and diversity. We aim to remove barriers, bias or discrimination that prevents individuals or groups from realizing their potential and contributing fully to the community to develop a culture that positively values diversity.

Andover Town Council is opposed to all forms of unlawful and unfair discrimination. All Town Council Members, its Officer(s) and members of the Public will be treated fairly and will not be discriminated against on any of the above grounds. All decisions will be made objectively and without unlawful discrimination.

Andover Town Council recognises that supporting Equality is of primary importance. This policy will help all those who are Council Members or work for the Council to develop sound and effective policies that impact on the villages, town, community and surrounding areas.

Andover Town Council will challenge discrimination. It aims to provide equality and fairness to all in the community and expects all Members and Officers to be aware and understand the Equality Act 2010.

3. The Definition of Equality

Equality can be described as breaking down barriers, eliminating discrimination and ensuring equal opportunity and access for all groups both in employment, and to goods and services; the basis of which is supported and protected by legislation.

4. The Definition of Diversity

Diversity can be described as celebrating differences and valuing everyone. Each person is an individual with visible and non-visible differences and by respecting this everyone can feel valued for their contributions, which is beneficial not only for the individual but for the Andover Town Council.

5. Scope

This policy applies to direct Town Council Members, its Members and Officer(s) and all job applicants regarding recruitment. Where the Town Council services are provided by external contractors or third parties on the specification set

by the Town Council, these contractors or third parties are responsible for adhering to the Town Council's Equality and Diversity Policy, whilst providing services on behalf of the Town Council.

This policy applies to sub-contractors. The Town Council will monitor the performance of contractors and/or third parties and take all necessary steps to ensure good performance and compliance with appropriate behaviour. However, if any issues become apparent with regards to diversity or equality in relation to any contractor or third party, these will be taken very seriously by the Town Council and raised in the strongest possible terms with the contractor or third party.

6. Policy Statement

The Andover Town Council is committed to ensuring that existing members of the Andover Town Council staff, job applicants, or workers are treated fairly in an environment which is free from any form of discrimination, with regard to nine of the protected characteristics as outlined by the Equality Act 2010 which are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

In addition, existing members of staff, job applicants or workers are treated fairly in an environment which is free from any form of discrimination with regard to: caring responsibilities, part-time employment, membership or non-membership of a trade union or spent convictions.

7. Equality Commitments

Andover Town Council is committed to:

- Promoting equality of opportunity for all persons.
- Promoting a good and harmonious environment in which all persons are treated with respect.
- Preventing occurrences of unlawful direct discrimination, indirect discrimination, harassment and victimization.
- Fulfilling our legal obligations under equality legislation and associated codes of practice.
- Complying with our own equal opportunities policy and associated policies.
- Taking lawful affirmative and positive action where appropriate.
- The Town Council has an ethical and legal responsibility to celebrate and champion equality and diversity. The Town Council will work to ensure it is inclusive and accessible to all.

- All users of the Town Council’s services will be treated with dignity, fairness and respect, regardless of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- Andover Town Council will treat all people, regardless of their background, with dignity and respect – this includes, our people, those with whom we interact (e.g. service users and customers) and other stakeholders.
- Premises of the Town Council will not be purchased or leased that do not meet accessibility standards or cannot be adapted to do so. Our existing building has a clear exit plan so that it can be replaced with a more accessible premises within a reasonable time-frame. Further details in our Disability Policy.
- All our written and digital communications will follow our Digital Accessibility guidelines and communication accessibility standards and be available in alternative formats upon request.
- Any new and reviewed policies, programmes, decisions that will affect our people, service users and or customers, will undergo an Equality Impact Assessment. To ensure that any negative impact on those with protected characteristics is mitigated wherever possible at all levels of the organisation and in all our activities.

8. Implementation

The Chairman has specific responsibility for the effective implementation of this policy. In order to implement this policy, he or she shall:

- Communicate the policy to Town Council Members, Town Clerk, Officers and Members of the Public
- Incorporate equal opportunities into general practices
- Ensure that other persons or organisations will comply with the policy in their dealings with the Council

9. Monitoring and Review

Andover Town Council will establish appropriate information and monitoring systems to assist the effective implementation of our equal opportunities policy.

The effectiveness of our equal opportunities policy will be reviewed annually, and action taken as necessary.

In addition to our internal procedures, any person has the right to pursue complaints of discrimination under the Equality Act 2010.

10. Document Information

Title:	Equality and Diversity Policy
Status:	4 th draft

Version:	12 April 2022
Consultation:	Policy & Resources Committee
Approved by:	
Approval Date:	
Review Frequency:	Every three years or if change occurs
Next Review:	March 2025

10. Document Control

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Mar 2018	1	1 st Draft	All	Policy & Resources Committee
May 2018	2	2 nd Draft	All	Council
Mar 2019	3	3 rd Draft	All	Council
Apr 2022	4	4 th Draft	All	

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Source:

British Library

Test Valley Borough Council

South East Employers

Town Clerk CiLCA 2022

Appendix F: Earmarked Reserves Review

F

Note: The Allotment Committee have reviewed the Earmarked Reserves set aside for Allotments and have made the following Resolution to be recommended to Full Council:

That the £7,000.00 earmarked for "Installation of Toilets on all 7 sites" be removed and added to "Replacement Fencing and Gates on all sites".

ANDOVER TOWN COUNCIL - EARMARKED RESERVES

Minute No	Title of Earmarked Reserve	Purpose	Management & Control					Supplier	Balance (£)
			Amount set aside (£)	Date set aside	Date of expenditure	TN	Amount		
C0132/10	Cost of Elections	To ensure funds available to cover cost of elections	£101,879.50	31.03.2019					
	Cost of Elections	Uncontested Parish Elections 2019	£101,879.50	31.03.2019	28.05.2019	158	£57.60	Test Valley Borough Council	£0.00
	Cost of Elections	To ensure funds available to cover cost of elections	£20,000.00	31.03.2020					£0.00
	Cost of Elections	Downlands Ward By-Election			06.03.2020	578	£6,860.57	Test Valley Borough Council	£0.00
	Cost of Elections	Harroway Ward By-Election Part 1			20.03.2020	660	£6,860.57	Test Valley Borough Council	£0.00
	Cost of Elections	Harroway Ward By-Election Part 2			31.03.2020	652	£10,088.44	Test Valley Borough Council	£0.00
	Cost of Elections 2023								£60,000.00
85 071/19	Cost of By-Elections	By Elections 2020	£38,069.92						£0.00
	Cost of By-Elections 2020/21	By-Elections 2021			31.03.2021	1513	£14,647.93	Test Valley Borough Council	£0.00
	Cost of By-Elections 2021	By-Elections 2021			31.03.2022		£4,328.11	Test Valley Borough Council	£0.00
	Cost of uncontested Elections	By-Elections 2021					£57.60	Test Valley Borough Council	£19,036.28
C /19	Community Notice Boards	Remove from Earmarked Reserves	£2,500.00	31.03.2013	31.03.2020		£2,500.00	Moved to Operational Reserves as monies no	£0.00
C 029/17 & C 105/17	Office Accommodation	One off costs to update and renovate new office accommodation at 688 - additional costs approved to be taken from Operational Reserves as per Minute No		29.03.2018	May-18		-£7,682.45		£0.00
AC 088/18	Christmas Lights - power column for Christmas Tree	One off cost for a power column purchase and installation following change in legislation (HCC)	£5,000.00	25.01.2018	23.08.2019		£5,982.00	Difference taken from operational reserves	-£982.00
	Christmas Lights - power columns for extension to lighting scheme	One off cost to purchase and install power columns to enable lighting trees in the Town for Christmas	£7,000.00	31.03.2019					£0.00

	Christmas Lights - power columns for extension to lighting scheme	One off cost to purchase and install power columns to enable lighting trees in the Town for Christmas			31.03.2020		£3,166.26	Blachere	£3,833.74
AC 022/18	Christmas Lights - Structural survey	To carry out a structural survey (legislation)	£2,500.00	25.01.2018	Aug-18		£1,260.00		£1,240.00
	Christmas Lights - Replacement/upgrade of eye-bolts	To provide replacement/upgrade of eye-bolts (legislation)	£5,000.00	25.01.2018					£5,000.00
	Christmas Lights - Installation of additional commando sockets on additional columns	To install additional commando sockets on new columns to extend the scheme	£3,500.00	25.01.2018					£3,500.00
	Property Purchases Fund	Funds set aside for a new building purchase/build	£152,000.00	31.03.2019					
C339/19	Property Purchases Fund	Funds set aside for a new building purchase/build	£152,000.00	31.03.2019	25.01.2021	n/a	£50,000.00	Transferred to new Allotments (2) - Additional Allotment Sites Fund	£102,000.00
	Allotments - Removal of non-essential Hedges	One off cost to remove non-essential hedges and trees around boundaries of allotment sites	£7,000.00	25.01.2018					£7,000.00
	Allotments - Upgrade access roads/tracks	To upgrade all tracks/access roads on allotment sites	£4,800.00	25.01.2018					£4,800.00
	Allotments - Upgrade piping/water supplies	To upgrade piping/water supplies on all allotment sites	£7,000.00	25.01.2018					£7,000.00
	Allotments - Installation of toilets on all 7 sites	To install permanent toilets on all allotment sites	£7,000.00	25.01.2018					£7,000.00
	Allotments - Upgrade of car parking facilities on all sites	To upgrade car parking facilities on all allotment sites	£4,000.00	25.01.2018					£4,000.00
	Allotments - Installation of security systems	To install security systems on allotment sites to minimise theft and ensure safety of allotment holders	£200.00	25.01.2018					£200.00
	Allotments - Replacement Fencing and gates on all sites	To replace and upgrade all fencing and gates on all 7 allotment sites to improve security	£70,000.00	25.01.2018					
AC 16/19		Replacement of entry gates at Vgo Road Allotments			16.09.2019	312	£1,744.98	Bawden	£0.00
	Allotments - Replacement Fencing and gates on all sites				19.01.2021	n/a	£50,000.00	Transferred to new Allotments - Additional	£0.00
C 339/19	Allotments - Replacement Fencing and gates on all sites				25.01.2021	n/a	£18,255.02	Transferred to Allotments (2) - Replacement Fencing	£0.00
BS..... C 339/19	Allotments - Additional Allotment Sites Fund	To assist with the provision of additional Allotment Sites for Andover	£50,000.00	19.01.2021	25.01.2021		£50,000.00	Transferred to Allotments (2) - Replacement Fencing	£0.00

C 339/19	Allotments (2) - Replacement Fencing and gates on all sites	To replace and upgrade all fencing and gates on all 7 allotment sites to improve security	£68,255.02	25.01.2021					£68,255.02		
	Grants Project	One-off Grants Project for Andover Community	£10,000.00	25.01.2018							
EC 067/19	Grants Project	One-off Grants Project for Andover Community							£10,000.00	Transfer to Operational Reserves	£0.00
	Events - A-Fest	Monies set aside to Fund A-Fest in 2020	£2,000.00	31.03.2019							
EC 067/19	Events - A-Fest	Monies set aside to Fund A-Fest in 2020							£2,000.00	Transfer to Operational Reserves	£0.00
	Youth Council	Future Youth Events	£1,800.00	31.03.2019							
	Youth Council	Future Youth Events							£1,800.00	Transfer to Operational Reserves	£0.00
	Defibrillator	For future provision of Defibrillators	£5,000.00	31.03.2019	30.04.2019				£3,927.99	AEDdonate	£1,072.01
	Bus Shelters	Running costs for Bus Shelters if transferred to the Town Council	£10,000.00	25.01.2018						Transfer to Legal Expenses	£0.00
C 211/19	Vigo Park	Provision of facilities in Vigo Park									£0.00
C 339/19	Vigo Park	Provision of facilities in Vigo Park	£27,000.00							Transfer to Legal Expenses	£0.00
BS 100/19	Public Conveniences	Provision of PC's in the Town Centre									£0.00
C 211/19	Public Conveniences	Provision of PC's in the Town Centre	£8,500.00							Transfer to Legal Expenses	£0.00
C 339/19	Contribution to Tourism	To assist with the provision of Tourism in Andover									£0.00
BS 100/19	Cemeteries		£3,000.00							Transfer to Legal Expenses	£0.00
C 339/19	Public Realm		£5,000.00							Transfer to Legal Expenses	£0.00
BS 100/19	St Mary's Ward Neighbourhood Plan		£5,000.00							Transfer to Legal Expenses	£0.00
BS 100/19	Other Wards Neighbourhood Plan		£5,000.00							Transfer to Legal Expenses	£0.00
C 339/19	Legal Expenses	Provision of costs for any potential legal expenses- Judicial Review	£63,500.00	25.01.2021	25.01.2022				63500	Transfer to Operational Reserves	£0.00
C144/-1/22											
TOTAL FOR EMR										£292,955.05	

Appendix G: Committee Structure Review

G

Produced for:

Policy and Resources Committee

Date of Report:

Tuesday 19 April 2022

Summary of Key Issues

To consider whether the Committee Structure is working in order to facilitate the Town Council's newly adopted Back to Basics strategy.

To consider whether the Committee structure is value for money and resources

To consider whether the Committee Structure requires any changes

Current Situation

It is now a year since Andover Town Council resolved (May/June 2021) to set up a new Democratic Structure (Policy & Resources Committee, Planning Committee and Allotments Committee, with supporting Panels – Events, Grants and HR) and it is appropriate to evaluate the success and cost effectiveness of these committees, panels and democratic structure.

Points for consideration

- Costs of committee meetings in office use, officer time, printing
- Councillor time spent at committees and working groups
- Effectiveness of the committees and panels in dealing with their allocated responsibilities
- Future workload of the committees and panels

Review of Committee Structure**Full Council**

Currently the Council meets once a month.

This is a high frequency of meetings which is required at the current time to allow for recommendations from Committees and Panels to be considered. This creates a large volume of work for Officers and takes up a great deal of time of Members and Officers.

Committees could be delegated more authority to carry out tasks on behalf of full Council which could reduce the frequency of meetings.

It is suggested the number of Council meetings be reduced to allow the Committee cycle to operate more efficiently and give more time for work to be completed between meetings.

Committees

Currently there are 3 standing committees, Allotment Committee, Planning Committee and Policy & Resources Committee.

The Committee meetings should operate in a cycle system, feeding into Council. Currently the Committees do not do this and it is making it difficult to complete work and make appropriate timely recommendations to full Council.

There are specific legal obligations throughout the year that the Council must comply with, the Committee system should reflect and support these specific dates. Currently due to the committee cycle not being in synchronisation with the dates, it is making it difficult for the work to be completed.

It is suggested that the Committee cycle be brought back into line with legal date obligations and the cycle system be reintroduced to allow for efficient completion of work.

Panels

During 2021, the Town Council had a number of advisors and it was suggested that the Council would work more efficiently if Panels were set up to manage the work of Human Resources, Events, Christmas Lights and Grants. However, this has caused a number of problems because the definition of the Panels has not been made clear. Concern has been raised that the panels are not held in public and that Members are not being able to view appropriate information.

As the Panels are not held in public but officers are required to attend, it has been noted that the Panels have met on a very frequent basis which has consumed a great deal of officer time.

The Panels cannot make decisions, therefore, a large number of recommendations come to Council, increasing the work of the Council and the need for a high number of Council meetings.

HR Panel

The HR Panel was set up to cover the work of the disbanded Staffing Sub-Committee. However, this has caused a number of problems with Terms of Reference not being in synchronisation with Town Council Policies and/or staffing contracts.

Since the disbandment of the Staffing Sub-Committee the Council has received advice that there should be some kind of Committee that deals with staffing issues. A Human Resources Sub-Committee should meet when required and be made up of a small number of Members who have had experience and training in HR (limited number of Members).

The HR Sub-Committee would have very specific Terms of Reference and no powers to make decisions (recommendations to P&R and or Council).

Other Panels

There are options to address the problems arising from the Panels.

1. Disband the Panels and create a Committee with specific delegated authority to address grant applications up to £1000, the running of events (after they have been approved by full Council) and the running of the Christmas Lights (following approval by full Council for any additional requirements).
2. Change the Panels to Working Groups. The Working Groups would be required to be task, time related. Therefore, set up for specific events, only meeting when required, for example, in the run up to the Christmas Light installation and when assistance was required.

If a Grants Working Group were set up, it would be called when Grant Applications were received or the Grants system be altered to operate twice a year.

Improvements to the current standing Committees

Allotment Committee

Revised Terms of Reference for the Allotment Committee should define the role of the Committee, make it clear the delegation from full Council and define what decisions can only be made by full Council.

The Allotment function is governed by the Allotment Rules and Regulations. These are being updated for final recommendation to Full Council for approval.

The Allotment Committee has also embarked on a project to review the allotment charges. The Committee will be required to review it and recommend any changes to full Council.

The day to day running of the allotments should lie with the Allotment Officers and Town Clerk. The Committee should only be involved if there are requests/disputes that are outside of the scope of the Rules and Regulations and cannot be resolved by the officers.

Currently the Committee is meeting almost once a month. This is putting additional workload on the officers who have to prepare the reports and agendas and attend the meetings and then write up the minutes. This is time which would be better spent on the running of the allotments.

It is suggested that the number of allotment meetings be reduced. The Committee should meet to consider the proposed changes to the charges and Rules and Regulations and then meet quarterly to receive updates and deal with any disputes/requests outside the Rules and Regulations.

Planning Committee

Revised Terms of Reference should better reflect the function of the Planning Committee and make clear any delegated authority from full Council

The Planning Committee must meet every 3 weeks to coincide with the Northern Area Planning Meetings of Test Valley Borough Council, the Planning Authority.

Although this means there are a large number of meetings, they are efficient and can be managed by Officers other than the Town Clerk as no decisions are made. Only observations are made and sent to the Planning Authority. This is the basic function of the Committee.

It is recommended that the Planning Committee remains a Committee to make observations to enable efficiency and that if decisions are required for items, they be dealt with by full Council.

The Terms of Reference of the Planning Committee should be amended to better reflect the function of the Planning Committee.

Policy & Resources Committee

Revised Terms of Reference for the P&R Committee should better define its functions and responsibility. They should be amended to include some of the staffing and HR responsibilities which better reflect the current staffing contracts and amended Standing Orders. It is also clearer with regard to the policy and monetary responsibilities of the committee as per the amended Financial Regulations.

The Policy and Resources (P&R) Committee should meet at strategic times of the year when statutory obligations need to be fulfilled, such as completing the Year End Accounts for the Annual Governance and Accountability Return (AGAR). The Committee should also be carrying out the work to ensure that the Council is running efficiently and meeting its statutory obligations. It therefore needs to meet 2 weeks prior to a Council meeting so that any recommendations and further reports can be prepared for consideration by Council.

Currently, the P&R meetings are taking place too close to the Council meetings and Officers are finding it difficult to turn the work around in good time. There is also insufficient time between meetings to carry out the work from the previous meeting.

It is recommended that the frequency of the P&R meetings be adjusted to better reflect statutory duties and to better 'feed into' the Council meetings.

The Policy and Resources Committee should have overview of some of the Staffing and HR Responsibilities as they affect overall Council Policy and Finance. This has been omitted from the current Terms of Reference and the current HR Panel has nowhere to report to.

Financial Implications

From May 2021 to April 2022 the total amount of officer time spent on Council and Committees was in total – **902 hours**

From May 2021 to April 2022 the total cost in officer time was **£18,196**

From May 2021 to April 2022 the total costs for photocopying and printing – **£3,912.10**

From May 2021 to April 2022 the total costs for room/hall hire - **£3,249.32**

It is anticipated that once the new offices have been set up, Committee meetings will be able to be held at a reduced cost of £25 per hour.

Legal and Policy Implications

All Town Council Committees must comply with the Town Council's Standing Orders, Financial Regulations and policies.

Local Government Act 1972, sections 101-106 and Schedule 12; Local Government and Housing Act 1989, section 13; Parish and Community Councils (Committees) Regulations 1990 (SI 1990 No 2476).

Recommendations

It is recommended that the number of meetings for Committees and Council be reduced.

It is recommended that the Terms of Reference for the Committees be amended to better reflect delegations

and staff/HR requirements.

It is recommended that consideration be given to creating another Committee to cover the provision/consideration of Events, Grants, Website and Christmas Lights.

It is recommended that consideration be given to creating an HR Sub-Committee which would meet when required and be made up of a small number of Members who have had experience and training in Human Resources.

Note: The person to contact about this report is Wendy Coulter (Town Clerk), Andover Town Council, 68B, High Street, Andover, Hampshire. SP10 1NG.

Tel: 01264 335592

Email: townclerk@andover-tc.co.uk

Website: www.andover-tc.gov.uk

Distribution: To all Councillors

ANDOVER TOWN COUNCIL **ALLOTMENTS COMMITTEE** TERMS OF REFERENCE

This committee will comprise of up to 7 Members of the Council.

The quorum of the committee will be 1/3 its Membership + 1.

The committee shall appoint an Elected Member as its Chairman

The committee shall appoint an Elected Member as its Vice Chairman

The committee will meet at least 4 times per year or as required.

Terms of Reference

To address and formulate policy, other than that determined by Council, for consideration by Council for Allotment provision in Andover, agree maintenance works, develop partner relationships with other local organisations for the provision of leisure gardens in Andover and monitor and maintain the Budget for allotment provision.

To develop, monitor and or review the following and make recommendations to full Council as per Standing Orders:

To have delegated authority to carry out the following:

1. To approve maintenance works for the provision of the Allotment Service, within the Allotments Budget
2. To monitor day to day maintenance within the Budget and to agree Capital Expenditure
3. To investigate further areas for allotment provision in Andover

Finance

1. To be responsible for the following Budget Heads and approve expenditure accordingly:

4500 – Allotment Service

3050 – Allotment Rents

3051 – Allotment Deposits

Urgent Matters

To provide any two elected members, normally the Chairman and the Vice Chairman of the Assets and Amenities Committee to be consulted by the Town Clerk to deal with urgent matters in relation to the Terms of Reference of the Assets and Amenities Committee which may have a legal or financial implication for the Council and time restraints prevent the normal arrangement of a Council or Committee meeting.

ANDOVER TOWN COUNCIL **PLANNING COMMITTEE** TERMS OF REFERENCE

The Committee will comprise of up to 7 Elected Members.

The quorum of the Committee shall be 1/3 its Membership + 1

The committee shall appoint an Elected Member as Chairman.

The committee shall appoint an Elected Member as Vice-Chairman.

Terms of Reference

To make observations on all planning applications and planning issues for the Andover area, including Development Briefs, Local Plans, Structure Plans and Development Control and to make site visits where necessary.

To have delegated authority to carry out the following:

- a) To consider all planning applications submitted to Andover Town Council by Test Valley Borough Council and Hampshire County Council and comment thereon within the prescribed time limits and make observations in consultation with the adopted Local Plans.
- b) To monitor the future social, community and cultural implications of residential development.
- c) To consider the implications of local and strategic plans and comment thereon within the prescribed time limits.
- d) To represent the views of the Town Council at planning appeals and representation to Test Valley Borough Council regarding planning and development matters and encourage consultation with the Planning Authority and developers where appropriate.
- e) To inform the community of Andover on major planning issues and to encourage participation in decision making.
- f) To have delegated authority to exercise the Town Council's statutory right to be notified of planning applications.
- g) To make observations on all planning applications notified by the Planning Authorities.
- h) To make observations on all telecommunication proposals received by Andover Town Council.

- i) To submit the Council's observations to the relevant planning authorities.
- j) To hear preliminary proposals for development within Andover
- k) To represent the Council at Development Forums and Planning Authority Site Visits and Planning Committee Meetings.
- l) To consider the environmental impact of planning proposals in Andover and adjacent parishes.
- m) To respond to any consultations or matters on traffic and transport affecting the Town Council area.
- n) To respond to any consultations or matters on Minerals affecting the Town Council area.
- o) To refer any of the above matters to Full Council for debate and decision.

The Planning Committee may only express the approved views and observations of the Planning Committee or Council.

Representation at Outside Bodies may be undertaken by delegated Elected Members or Officers of Andover Town Council.

ANDOVER TOWN COUNCIL

POLICY & RESOURCES COMMITTEE

TERMS OF REFERENCE

This committee will comprise of up to 7 Members of the Council.

The quorum of the committee will be 1/3 its Membership + 1.

The committee shall appoint an Elected Member as its Chairman

The committee shall appoint an Elected Member as its Vice Chairman

Terms of Reference

To address, formulate policy for consideration by Council; to be responsible for the Council's financial budget and other assets as delegated by Council; to secure the good governance of the Council's affairs, including the management of staffing and appointments, committee arrangements and day to day business.

To develop, monitor and or review the following and make recommendations to full Council as per Standing Orders:

Policy & Procedures

2. To identify key policy issues facing the Council and to formulate, for the Council's consideration, its strategies and timetables for dealing with them
3. To make recommendations to Council on changes and to review Standing Orders and Financial Regulations
4. To ensure the Council is adequately resourced to achieve its aims and objectives, powers and duties of the Council and Standing Committees if relevant
5. In consultation with the Responsible Officer, to agree the principles of the Management of Committee finance
6. To review the Council's Risk Management Policy & Strategy and recommend to Council accordingly
7. To maintain and review the Council's strategic objectives and performance

Finance

8. To be responsible for the following Budget Heads and approve expenditure accordingly:

4000 – Corporate Management (up to and inclusive of Budget 4000/5)

4100 – Democratic Representation

4180 – Other Services to the Public

4200 – Administration Rechargeable (Staffing)

4210 – Administration Rechargeable

9. To review the Council's Financial Plan and Strategy
10. To prepare annual budgets reflecting the Council's agreed strategy and priorities for approval by Council and recommendation of the Precept to Council
11. To secure effective control of expenditure authorising items of expenditure on behalf of the Council and scrutiny of expenditure against budgets throughout the year
12. To make recommendations to Council on the use of financial reserves
13. To make recommendations to Council on charges and fees of Council services
14. Treasury Management
15. Leasing, loans and finance
16. To recommend to council the appointment of an Independent Internal Auditor for the accounts and procedures of the Council
17. To consider the audited accounts and report back to Council
18. To oversee the Council's banking and investment arrangements and keep investment policy under review

Asset Management

19. To ensure that the Council is fully covered by Insurance to carry out all its functions as a Local Authority
20. To investigate the possible management/ownership of assets in Andover

Business Plan

21. To organise and oversee the Business Plan process throughout the year.
22. To encourage the citizens of Andover to play a major role in shaping the future Business Plan
23. To review progress of current elements of the Business Plan and suggest modifications to Full Council

Human Resources

24. To review and maintain Staffing Levels at appropriate levels to deliver services
25. To approve the Grading of Staff and level of remuneration using as a guide the National Joint Committee Regulations (NJC Green Book) and the Terms and Conditions in line with the Society of Local Council Clerks (SLCC)
26. To undertake recruitment procedures, equal opportunity statements and guidelines on employment practice
27. To determine the final stage of appeals with regard to grievance and disciplinary procedures for all employees

Member Services

28. To oversee and approve a programme for Members Training
29. To oversee provision for Members Services

Urgent Matters

To provide any two elected members, normally the Chairman and the Vice Chairman of the Assets and Amenities Committee to be consulted by the Town Clerk to deal with urgent matters in relation to the Terms of Reference of the Assets and Amenities Committee which may have a legal or financial implication for the Council and time restraints prevent the normal arrangement of a Council or Committee meeting.

ANDOVER TOWN COUNCIL

HUMAN RESOURCES SUB-COMMITTEE (RECOMMENDED NEW SUB-COMMITTEE)

TERMS OF REFERENCE

This committee will comprise of 5 Members of the Council.

The quorum of the committee will be 1/3 its Membership + 1.

All Members must have or be willing to receive training in Human Resources and Employment Law.

The sub-committee shall appoint an Elected Member as its Chairman

The sub-committee shall appoint an Elected Member as its Vice Chairman

Its Officer will be the Town Clerk as Head of Paid Staff.

Regularity of Meetings: To meet as required by arrangement with the Town Clerk

Terms of Reference

Compliance with Legislation

1. To ensure that the Council, through its Officers, complies with current employment legislation
2. To ensure that the Council fulfils its corporate statutory responsibilities with regards to the employment of all staff
3. To review all Human Resources Policies and make recommendations to full Council

Staffing Levels, Recruitment and Retention

4. To make recommendations to the Policy and Resources Committee on staffing levels for the Council
5. To make recommendations to the Policy and Resources Committee on levels of salaries and wages, pay increases, bonuses and other staffing benefits
6. To form a recruitment and selection panel for all staffing posts
7. To appoint one member to sit with the Town Clerk during all staffing appointments

Training and Development

8. To review staff training and development needs as identified by the Town Clerk and the Council

Performance Management

9. To appoint a small panel of no more than three members as an appraisal panel for the Town Clerk
10. To negotiate and agree performance targets with the Town Clerk

Employee Relations

11. To mediate when required between officers and members the balance of an achievable work load
12. To appoint a panel of three members to consider any grievances by staff in line with the Council's Human Resources Policies
13. To appoint a panel to hear appeals on personnel issues.

ANDOVER TOWN COUNCIL

COMMUNITY & EVENTS COMMITTEE (RECOMMENDED NEW COMMITTEE)

TERMS OF REFERENCE

This committee will comprise of up to 7 Members of the Council.

The quorum of the committee will be 1/3 its Membership + 1.

The committee shall appoint an Elected Member as its Chairman

The committee shall appoint an Elected Member as its Vice Chairman

Terms of Reference

To address and where appropriate, formulate policy regarding Events provided by the Council and develop schemes and projects for Community & Town Development, public relations and public engagement by the Council and develop schemes and projects for ongoing publicity of council activities;

To develop, monitor and or review the following and make recommendations to Full Council if projects fall outside delegated Budget as per Standing Orders and Financial Regulations:

Communications

1. To develop strategy on media relations, and to formulate policy on public participation.
2. To act as a channel for communication with external partners
3. To assist the Town Clerk with the preparation of the Annual Report for the Annual Electors Meeting
4. To oversee the maintenance and development of the Council's Website
5. To formulate an Emergency Plan for the Council as and when required.

Events

1. To Co-ordinate any events the Council conducts or takes part in and to ensure that such activity is publicised
2. To develop and manage the Christmas Lights

Grants

1. To oversee and publicise the Grant Funding the Council releases each year.

2. To appoint a Working Group to assess applications for funding.
3. To make decisions for awarding Grants on behalf of the Council, within the Grant budget.

Finance

To be responsible for the following Budget Heads and approve expenditure accordingly:

EXPENDITURE

4190 – Grants

4700 – Town Centre Development

4000/6 – Web Site & Community Development

Urgent Matters

To provide any two elected members, normally the Chairman and the Vice Chairman of the Community & Events Committee to be consulted by the Town Clerk to deal with urgent matters in relation to the Terms of Reference of the Community & Events Committee which may have a legal or financial implication for the Council and time restraints prevent the normal arrangement of a Council or Committee meeting.

Appendix I: Dates of Meetings

I

ANDOVER TOWN COUNCIL

PROPOSED MEETING DATES MAY 2022 – MAY 2023

Day	Date	Time	Meeting	Venue
MAY				
Monday	2 May 2022		BANK HOLIDAY	
Monday	9 May 2022	6.00pm	Planning Committee	The Lights
Wednesday	11 May 2022	6.30pm	Council (ANNUAL MAYOR MAKING)	The Guildhall
Monday	30 May 2022	6.00pm	Planning Committee	The Lights
JUNE				
Thursday	2 June 2022		BANK HOLIDAY	
Friday	3 June 2022		BANK HOLIDAY	
Tuesday	14 June 2022	6.30pm	Policy & Resources Committee	The Lights
Monday	20 June 2022	6.00pm	Planning Committee	The Lights
Wednesday	22 June 2022	6.00pm	Council (Annual Return)	The Guildhall
JULY				
Thursday	7 July 2022	6.30pm	Allotment Committee	The Lights
Monday	11 July 2022	6.00pm	Planning Committee	The Lights
Wednesday	20 July 2022	6.30pm	Community & Events Committee	The Lights
AUGUST				
Monday	1 August 2022	6.00pm	Planning Committee	The Lights
Tuesday	2 August 2022	6.30pm	Policy & Resources Committee	The Lights
Monday	22 August 2022	6.00pm	Planning Committee	The Lights
Monday	29 August 2022		BANK HOLIDAY	
SEPTEMBER				
Wednesday	14 September 2022	6.30pm	Council	The Guildhall
Monday	12 September 2022	6.00pm	Planning Committee	The Lights
Wednesday	21 September 2022	6.30pm	HR Sub-Committee	The Lights
OCTOBER				
Monday	3 October 2022	6.00pm	Planning Committee	The Lights
Wednesday	5 October 2022	6.30pm	Allotment Committee	The Lights
Tuesday	11 October 2022	6.30pm	Policy & Resources Committee	The Lights
Wednesday	19 October 2022	6.30pm	Community & Events Committee	The Lights
Monday	24 October 2022	6.00pm	Planning Committee	The Lights
NOVEMBER				
Wednesday	2 November 2022	6.30pm	HR Sub-Committee	The Lights
Monday	14 November 2022	6.00pm	Planning Committee	The Lights
Tuesday	22 November 2022	6.30pm	Policy & Resources Committee	The Lights
Wednesday	30 November 2022	6.30pm	Council	The Guildhall
DECEMBER				
Monday	5 December 2022	6.00pm	Planning Committee	The Lights
Tuesday	13 December 2022	6.30pm	Policy & Resources Committee	The Lights
Thursday	15 December 2022	6.30pm	Community & Events Committee	The Lights

Monday	26 December 2022		(Boxing Day) BANK HOLIDAY	
Tuesday	27 December 2022		BANK HOLIDAY	
JANUARY				
Monday	2 January 2023		BANK HOLIDAY	
Tuesday	3 January 2023	6.00pm	Planning Committee	The Lights
Tuesday	10 January 2023	6.30pm	Policy and Resources Committee	The Lights
Monday	23 January 2023	6.00pm	Planning Committee	The Lights
Wednesday	25 January 2023	6.30pm	Council (BUDGET and Precept)	The Guildhall
FEBRUARY				
Thursday	3 February 2023	6.30pm	Allotments Committee	The Lights
Thursday	9 February 2023	6.30pm	Community & Events Committee	The Lights
Monday	13 February 2023	6.00pm	Planning Committee	The Lights
Tuesday	21 February 2023	6.30pm	Policy and Resources Committee	The Lights
MARCH				
Wednesday	1 March 2023	6.00pm	Events Committee	The Lights
Monday	6 March 2023	6.00pm	Planning Committee	The Lights
Wednesday	15 March 2023	7.00pm	Town Electors Meeting	The Guildhall
Wednesday	22 March 2023	6.30pm	Council	The Guildhall
Monday	27 March 2023	6.00pm	Planning Committee	The Lights
APRIL				
Thursday	6 April 2023	6.30pm	Allotment Committee	The Lights
Friday	7 April 2023		BANK HOLIDAY	
Monday	10 April 2023		BANK HOLIDAY	
Monday	17 April 2023	6.00pm	Planning Committee	The Lights
Wednesday	19 April 2023	6.30pm	Community & Events Committee	The Lights
MAY				
Monday	1 May 2023		BANK HOLIDAY	
Tuesday	2 May 2023	6.30pm	Policy & Resources Committee	The Lights
Thursday	4 May 2023		ELECTIONS ?????????	
Monday	8 May 2023	6.00pm	Planning Committee	The Lights
Wednesday	17 May 2023	6.30pm	Annual Council (Mayor Making)	The Guildhall
Monday	29 May 2023		BANK HOLIDAY	
Tuesday	30 May 2023	6.00pm	Planning Committee	The Lights

Appendix J: Internal Audit – Action Plan - Update

J

ANDOVER TOWN COUNCIL – INTERIM AUDIT – ACTION PLAN

APRIL 2022

Audit Point	Audit Findings	Council comments
Books of Account	The Council may want to consider a secure method by which passwords are stored in case of emergency, in addition to training up a backup finance operative.	Passwords are now stored securely in safe in office for access by staff members if required. As part of the staffing review, consideration should be given to training a backup finance operative.
VAT	I would recommend chasing up the VAT refund with HMRC. I would recommend the VAT detail prints are printed with the summary reports at the quarter end and filed with the VAT returns.	HMRC chased – funds returned. VAT detail reports now printed and filed with VAT returns.
Books of Account	I believe the Council would benefit from a month end tick list process to ensure all relevant reports at the time are printed to PDF and agreed.	Month end tick list produced. As part of Back to Basics, reports will be updated and presented to Council.
Transparency	I remind the Council it is a mandatory requirement to follow the Code and I recommend that over the course of the remainder of this Council Year, the website is updated to reflect this.	Work is being completed on the website and it is anticipated that all compliance with the Transparency Act will be completed by the end of May 2022.
GDPR	I recommend that the Councillors be encouraged to use their Town Council email in future.	Councillors will be asked again, in time for the Annual Council meeting, if they wish to use their Town Council email addresses.
Financial Regulations	I would recommend that the Council consider updating its financial regulations to the new NALC model, this will also address the typos in the current document. Local variations to financial regulations – I recommend this will need addressing as the Council cannot have regulations that state one thing, but local practice does another.	Financial Regulations being reviewed by P&R with recommendations to Full Council – April 2022. This has been addressed in the revised FR's.
Financial Risk Assessment	I would recommend a simple table is drawn up to detail the nature and scope of risk, current controls and any action that needs to be taken, I have appended a model that could be adopted to this report.	Completed and presented to Council in March 2022 and signed off.
Insurance	At the interim date we could not locate the schedule of insurance. Only the certificate. I will test again at the year end audit.	Sourced and ready to present to Internal Auditor at next visit.

Budget 3 – Year Forecast	I would recommend that Council add its 3 year forecast to its current budget spreadsheet, for now this can be a simple % increase, which can be worked on and reviewed on a rolling basis over the course of the Council year.	Completed and included with budget spreadsheet.
Earmarked Reserves	I recommend the Council review the Earmarked Reserves and a simple summary be produced showing opening position, movement and closing position of each reserve.	The Council is reviewing Earmarked Reserves, once agreed a simpler method of reporting will be adopted.
Payroll – employment allowance claimed in error	I reviewed this with the Town Clerk and we agreed that the Clerk should complete a full review of amount due to and received by HMRC to ascertain the full picture. I therefore recommend the payrolls for all applicable years must be checked and corrected and any tax re paid to HMRC.	All payrolls have been reviewed and checked and all monies owed to HMRC have been fully repaid.
Bank and Cash	The Council may want to consider the introduction of an investment strategy as I could not locate one on the website.	Policy & Resources Committee to consider an Investment Strategy.
Inspection dates	Whilst the publication dates are correctly spaced, the AGAR was approved after the publication date which is in contraction of the publication requirements. The signed AGAR must be signed before being published, therefore the dates for public inspection must be after this date.	Noted and correct dates will be used for AGAR 2022.

Back to Basics – Part 2

Produced for:

Policy and Resources Committee

Date of Report:

Tuesday 20 April 2022

Background

The Town Council has recently agreed that Andover Town Council should go 'Back to Basics'. The Town Clerk has been asked to define what that means for the Town Council and how it will be achieved. There are several factors that contribute to the 'makeup' and operation of the Town Council and to define 'Back to Basics' is not achievable in one single report and one action to be taken. Therefore, to approach this in a sensible, measured and understandable way, there will be a series of reports, breaking down the areas and considering them one by one to achieve the desired whole – 'Back to Basics'.

Back to Basics – Part 2

This is the second of a number of reports for the 'Back to Basics' project.

The operation of the Council, via its Committee system is being addressed.

Part 2 of this report is to address the fundamental policies and procedures of the Council and to ensure that its daily operating system is fully utilised to ensure efficient working practices.

The Standing Orders and Financial Regulations have been considered during this meeting.

Summary of Key Issues

The Town Council must ensure that all its policies and procedures are up to date and compliant with legislation. There are a number of policies which require updating this year.

The Town Council also operates on a daily basis with a newly adopted software system, Windows 365. It is essential that all users are fully aware of its capabilities and support be available to assist should any issues arise.

Current Situation

Town Council Policies

There are a number of Policies that will require updating and reviewing this year (2022/2023). Two have already been identified, the Risk Management Policy and the Equality Policy. However, the following will also require reviewing and updating:

Anti-Fraud & Corruption, Capability, Complaints, Data Protection, Dignity at Work, Disciplinary, Financial Reserves, Flexible Working , Grievance Policy, Health & Safety , Information, Maternity Leave & Pay, Media, Parental Leave, Pay, Pension, Publication, Safeguarding, Sickness and Absence, Staff Privacy, Whistleblowing (21 policies)

(Policies listed in alphabetical order, not subject or priority)

Town Council Operating System – Microsoft 365

The Town Council adopted a new Operating System for its daily administration in 2021. However, officers and members have had minimal training in its use and productivity.

The capabilities of the system are not being utilised to greatest benefit and officers are unable to offer assistance to members if they encounter a problem.

Windows 365 could also be used to manage all the administration files that are in daily use. However, due to the officers' lack of knowledge and the vast amount of data that is required to be transferred, officers are continuing to rely on the old server system. This is causing delays and potential data loss.

Points for consideration

- Updating ALL Town Council policies during 2022/2023
- Training for officers and members in the use of Microsoft 365
- Engaging an external contractor to be employed for a short period to transfer the data from the old Server to Microsoft 365

Recommendations to get 'Back to Basics'

Policies

Officers be tasked with reviewing and updating all the Town Council policies.

All policies will be submitted to relevant committees prior to any recommendations to full Council.

It is anticipated that this work will take the whole year to complete.

Microsoft 365

ALL officers and members be offered training in the use and administration of Microsoft 365.

Officers investigate the engagement and costs of an external contractor to transfer the data from the old server onto Microsoft 365.

Financial Implications

It is anticipated that it will take at least 4 hours per policy to review and update. This equates to a total of 80 hours work or £1,613.91.

There are free training courses offered by Microsoft.

Officers would need to investigate the costs of an external contractor to transfer data if Members were in agreement.

Legal and Policy Implications

The Town Council must ensure that all its policies and procedures are up to date.

To remain up to date and efficient all users of the Town Council's operating systems should be training in their use and capabilities.

Recommendations

To approve the recommendations included within the report:

Officers be tasked with reviewing and updating all the Town Council policies.

All policies will be submitted to relevant committees prior to any recommendations to full Council.

It is anticipated that this work will take the whole year to complete.

ALL officers and members be offered training in the use and administration of Microsoft 365.

Officers investigate the engagement and costs of an external contractor to transfer the data from the old server onto Microsoft 365.

Note: The person to contact about this report is Wendy Coulter (Town Clerk), Andover Town Council, 68B, High Street, Andover, Hampshire. SP10 1NG.

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Distribution: To all Councillors

Appendix L: Work Programme

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Date of Meeting	ITEM	Requested by	Purpose of Item	Expected Outcome
26 April 2022	Review Town Council Policies		Review Town Council Policies and make amendments as necessary	Yes
26 April 2022	Review of Financial Regulations	STAT	To review Financial Regulations to ensure compliance with latest Governance	
May 2022	Virement of Budgets		To consider any Virements of Budgets prior to 31 March 2022	Recommend to full Council
May 2022	Review Council's resources	P&R	To review the Council's resources to ensure services are maintained	
May 2022	Investment Strategy	P&R	To consider an Investment Strategy in line with the Financial Regulations	
June 2022	Accounts for the Year Ended 31 March 2022	STAT	To approve the Accounts for the Year Ended 31 March 2022	
June 2022	To receive the Internal Auditors Report	STAT	To approve the Action Plan arising from the Internal Auditors Report	Recommend to full Council
June 2022	Annual Return Preparation	P&R	To review the Internal Audit Report and consider Accounts for the Annual Return	Recommend to full Council
September 2022	Review Council's resources	P&R	To review the Council's resources to ensure services are maintained	
September 2022	Review financial plan for 2023/2024		To consider the Financial Plan for 2023/2024 to ensure Budgets cover services required – in preparation for Annual Budget 2023/2024	
November 2022	Review any Leases or Loans (if required)			
November 2022	Review of Members Services Provision		To consider whether provision has been provided within the budget for Members' Services	
November 2022	Timetable of Meetings for 2023		To consider a timetable of meetings for 2023	Recommend to full Council
November 2022	Annual Budget 2023/2024	STAT	To prepare and recommend to Council the Annual Budget for 2023/2024	

Date of Meeting	ITEM	Requested by	Purpose of Item	Expected Outcome
December 2022	Annual Budget 2023/2024 (2)	STAT	To recommend to Council the Annual Budget for 2023/2024	
December 2022	Review of Business Plan		To ensure the Town Council is up to date with the Business Plan	
Jan/Feb 2023	Internal Audit Arrangements	STAT	To note Internal Audit arrangements for YE 31 March 2023	
Jan/Feb 2023	Annual Report	STAT	To approve the contents of the Annual Report for 2022/2023	