

# **BATHFORD PARISH COUNCIL**

## **Standing Orders**

Adopted by the Parish Council on 20 September 2010

# Contents

Contents .....	2
Notes .....	4
Fonts .....	4
1 Personnel.....	5
1.1 Parish Councillors .....	5
1.2 Employees.....	5
1.3 Proper Officer and Responsible Financial Officer (Clerk) .....	5
1.3.1 Overall Responsibilities .....	5
1.3.2 Specific Responsibilities of the Clerk to the Bathford Parish Council .....	6
1.3.2.1 The specific responsibilities required of the Clerk of Bathford Parish Council are detailed below. The list can be changed at the direction of the Council at any time to cover any or all of the duties mentioned above. Any subsequent continuous increase or decrease in workload on the Clerk will be followed by a review of his/her salary. ....	6
2 Meetings .....	8
2.1 General .....	8
2.2 Quorum of the Council .....	8
2.3 Minutes.....	8
2.4 Voting.....	9
2.5 Summons to the Meeting .....	9
2.6 Conduct of Meetings .....	10
2.7 Discussions and Resolutions Affecting Employees of the Council.....	15
2.8 Disorderly Conduct by Members .....	15
2.9 Admission of the Public and Press to Meetings .....	16
2.10 Annual Meetings.....	17
2.10.1 Annual Parish Meeting (APM).....	17
2.10.2 Annual Parish Council Meeting (APCM).....	18
2.11 Issuing of Agendas .....	19
3 Committees.....	20
3.1 Committees and sub committees .....	20
3.2 Advisory Committees .....	21
3.3 Substitute Members of Committees.....	21
4 Finances .....	22
4.1 Expenditure .....	22
4.2 Payments .....	22
4.3 Financial Statements .....	23
4.4 Estimates/Precepts.....	23
4.5 Financial Matters .....	23
4.6 Procurement.....	23
5 Conduct of Members .....	24
5.1 Interests .....	24
5.2 Canvassing of and Recommendations by Members .....	25
5.3 Unauthorised Activities .....	25
5.4 Confidential Business .....	26
6 Other Council Procedures .....	26
6.1 Filling of Council casual vacancies.....	26
6.2 Access to Documentation .....	27
6.3 Liaison with B&NES Councillors.....	28
6.4 Code of Conduct on Complaints.....	28
6.5 Planning Applications.....	28
6.6 Sealing of Documents.....	28
6.7 Variation, Revocation and Suspension of Standing Orders.....	28
Appendix A – Terms Of Reference – Officers .....	30
The Chair.....	30
The Vice Chair .....	30

Appendix B – Parish Allowances .....	31
General Expenses .....	31
Mileage.....	31
Appendix C – Code of Conduct .....	33
Appendix D – Complaints Procedure .....	35

## Notes

### *Fonts*

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. **These are printed in bold type.** These items cannot be altered.

# **1 Personnel**

## **1.1 Parish Councillors**

1.1.1 Parish Councillors are elected for four years unless they resign, die or are disqualified within that period.

Parish Councillors are obliged to:

- ◆ attend meetings when summoned by notice
- ◆ prepare for meetings by studying the Agenda
- ◆ take an active part in the Council's work and meetings
- ◆ ensure the Council is well managed
- ◆ represent Bathford electors' views
- ◆ follow the Code of Conduct – see Appendix C

## **1.2 Employees**

1.2.1 All employees will have a contract of employment incorporating terms and conditions.

1.2.2 A review of pay and conditions will take place every year during December.

1.2.3 All employees will have full protection of current employment law as applicable.

1.2.4 If, at a meeting, any question arises relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of anyone employed by the Council, it should not be debated until the Council or Committee (as appropriate) has decided whether or not the public should be excluded.

## **1.3 Proper Officer and Responsible Financial Officer (Clerk)**

### **1.3.1 Overall Responsibilities**

1.3.1.1 The duties and responsibilities of the Clerk to the Parish Council are multifarious and comprehensive. The general and overall responsibilities recommended by the National Association of Local Councils for a Clerk to a Parish Council are detailed in the rest of this section and are adopted by Bathford Parish Council:

1.3.1.2 The Clerk to the Council will be the Proper Officer of the Council and as such is under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by Law of a Local Authority's Proper Officer.

1.3.1.3 The Clerk will be totally responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are carried out.

1.3.1.4 The Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities and in particular to produce all the information required for making effective decisions and to implement constructively all decisions.

1.3.1.5 The Clerk will be accountable to the Council for the effective management of all its resources

1.3.1.6 The Clerk is the **Responsible Financial Officer** and in so being will be responsible for all the financial records of the Council and the careful administration of its finances.

### **1.3.2 Specific Responsibilities of the Clerk to the Bathford Parish Council**

1.3.2.1 The specific responsibilities required of the Clerk of Bathford Parish Council are detailed below. The list can be changed at the direction of the Council at any time to cover any or all of the duties mentioned above. Any subsequent continuous increase or decrease in workload on the Clerk will be followed by a review of his/her salary.

- ◆ To seek advice on the legal, statutory and other provisions governing or affecting the running of the Council.
- ◆ To receive and report on invoices for goods and services to be paid for by the Council, to ensure such accounts are paid, to effect payment of wages to any employees, maintain VAT records, balance the Council's accounts and prepare records for the Council and the F&AC and also the Annual Audit.
- ◆ To ensure that the Council's obligations to insure are properly met
- ◆ To attend all Parish Council Meetings
- ◆ To receive declarations of acceptance of office
- ◆ To receive and record notices disclosing interests at meetings
- ◆ To receive and retain plans and documents
- ◆ To sign notices or other documents on behalf of the Council where defined within these standing orders
- ◆ To certify copies of byelaws made by the Council
- ◆ To sign and issue the summons to attend meetings of the Council
- ◆ To keep on file all records for Council and Committee meetings
- ◆ To keep accurate records of all financial transactions
- ◆ To attend Committee and Sub Committee meetings as requested
- ◆ To assist and prepare, in consultation with appropriate Chair:
  - agendas for meetings of the Council
  - agendas for Committees
  - setting up/down of meeting area
- ◆ To issue Notices and Agendas for Parish Meetings

- ◆ To prepare minutes for approval
- ◆ To distribute minutes as appropriate
- ◆ To receive correspondence, reports and documents on behalf of the Council. To deal with such correspondence and documents within his/her province and refer other items for the attention of the relevant Standing Committee
- ◆ To issue correspondence as a result of the instructions of the Chair of the Council or Committee and on the known policy of the Council
- ◆ To prepare, in consultation with the Chair and or Communications Committee, correspondence and press releases about the activities of, or decisions of, the Council
- ◆ To attend such training courses as required by the Council
- ◆ To achieve appropriate qualifications as required to fulfil the duties of the post
- ◆ To attend the Conferences of the Association of Local Councils, Society of Local Council Clerks, and other meetings as a representative of the Council and as may be required by the Council
- ◆ To provide advice to the Chair of the Council or Committee as to its legal requirements and constraints and its duties, so as to enable him/her to fulfil his/her responsibilities
- ◆ To advise the Chair to ensure that Council procedures are being followed
- ◆ To occasionally undertake such other duties as are deemed necessary by the Council.

## **2 Meetings**

### **2.1 General**

2.1.1 Meetings of the Council shall be held in Bathford on such dates and times and at such places as the Council may direct

2.1.2 At least three ordinary meetings shall be held in each year on such dates and times and such places as the Council may direct. In a usual year, these will take place at 7.30pm on the third Monday of each month with the exception of August and December, unless the Council decides otherwise at a previous meeting

2.1.3 Frequency of any Council Committee meetings shall be determined by the Chairs of the Sub Committee

2.1.4 Meetings shall last no more than 2 hours

2.1.5 Smoking is not permitted at any meeting of the Council

### **2.2 Quorum of the Council**

2.2.1 Four Members shall constitute a quorum at ordinary meetings of the Council  
If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix. All decisions made prior to adjournment will stand

2.2.2 For quorum requirements relating to a Committee or Sub-Committee, please refer to Standing Order 3.1.7

### **2.3 Minutes**

2.3.1 The Clerk should record all meetings and produce Minutes for confirmation at the next meeting. These must go out to all Councillors prior to the meeting

2.3.2 Once approved at the meeting, Minutes must be signed by the Chair

2.3.3 In the absence of the Clerk, the Chair may take the Minutes or arrange for a Councillor to do so

2.3.4 The minutes should reflect the Agenda and the discussion. Each paragraph of the minutes will be numbered for reference, based on the number of the Agenda item as listed on the Agenda.

2.3.5 When a Motion is approved, the terminology 'RESOLVED' should appear in the Minutes followed by what was resolved

2.3.6 Minutes should reflect substantive items and decisions, not verbatim reporting

2.3.7 Minutes should be distributed to the public only after approval and the day after the meeting. Copies will be made available at the Post Office and on the Parish Council website (other mechanisms for the distribution of minutes to the public will be used as and when appropriate). The B&NES Councillors with responsibility for Bathford should also receive copies. A personal copy to any member of the public will be made available on request for which an administration charge may be made at the Councils discretion.

## **2.4 Voting**

2.4.1 At all meetings including Committees and Sub Committees, Members shall vote by show of hands or by signed ballot, if required by at least two Members

2.4.2 If a signed ballot is conducted, the ballot papers should be counted by the Clerk only. If the Clerk is absent the Member who is recording the meeting shall be responsible for counting. All the ballot papers will be kept in a confidential file, for the life of the Council

**2.4.3 If a Member so requires, the Clerk shall record the names of the Members who voted (in a show of hands vote) on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business**

**2.4.4 The Chair must give an original vote on any matter put to the vote, and in any case of an equality of votes, must give a casting vote whether or not s/he gave an original vote**

**2.4.5 If the person presiding at the annual meeting would have ceased to be a Member of the Council but for the statutory provisions which preserves the Membership of the Chair and Vice-Chair until the end of their term of office s/he must not give an original vote in an election for Chair**

**2.4.6 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair**

2.4.7 Where more than two persons have been nominated for any position to be filled by the Council and an equal number of votes have been cast, the name of the person having the least number of votes shall be struck off the list. A fresh vote must be taken, and so on until a majority of votes is given in favour of one person.

## **2.5 Summons to the Meeting**

2.5.1 The Clerk will send Members an agenda and any other relevant papers, no less than three clear days prior to the meeting

2.5.2 Agendas and supporting papers will be issued by e-mail to Members with access to e-mail and posted or delivered to Members without access to e-mail

## **2.6 Conduct of Meetings**

### **2.6.1 Appointments and Code of Conduct**

2.6.1.1 Councillors should always conduct themselves at meetings in a way that upholds the good reputation of the Parish Council.

**2.6.1.2 At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received**

### **2.6.2 Order of Business**

2.6.2.1 After the business referred to in 2.6.1 has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

- ◆ Public question time. Period to be determined by the Chair
- ◆ To read and consider the Minutes. If a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read
- ◆ **After consideration, to approve the signature of the Minutes by the person presiding as a correct record**
- ◆ **To deal with business expressly required by statute to be done**
- ◆ To dispose of business, if any, remaining from the last meeting as matters arising
- ◆ To receive such communications as the person presiding may wish to lay before the Council
- ◆ To receive a report from the B&NES Councillor/s (if present)
- ◆ To receive and consider reports and minutes of Committees
- ◆ To complete all remaining business in the order laid down in the agenda for that meeting, unless the Council decides otherwise
- ◆ To consider financial matters and to authorize the signing of orders for payment and payment of invoices
- ◆ To consider such other business as may be required (Any Other Business).  
(Note. No decisions that carry a financial implication of Council expenditure may be made under AOB)

### **2.6.3 Urgent Business**

2.6.3.1 A motion to vary the order of business on the ground of urgency may be proposed by the Chair or by any Member. If proposed by the Chair and seconded, this may be put to the vote without discussion

2.6.3.2 Where appropriate the public will be asked to leave in accordance with Standing Order 2.9

## **2.6.4 Resolutions Moved on Notice**

2.6.4.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least ten clear days before the next meeting of the Council

2.6.4.2 The Clerk shall date every notice of resolution or recommendation when received by him/her, shall number each notice in the order in which it was received and shall enter it in a book/added to a relevant electronic database which shall be available for the inspection of every Member of the Council

2.6.4.3 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that s/he intends to move at some later meeting or that s/he withdraws it

2.5.4.4 If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice

2.6.4.5 If the Subject matter of a resolution comes within the province of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such Committee or to such other Committee as the Council may determine for report. Should the Chair consider the issue to be of an urgent nature, s/he may allow it to be dealt with at the meeting at which it was moved

2.6.4.6 Every resolution or recommendation shall be relevant to some Subject over which the Council has power or duties, which affects its area

## **2.6.5 Resolutions Moved Without Notice**

2.6.5.1 Resolutions dealing with the following matters may be moved without notice:

- ◆ To appoint a Chair of the meeting
- ◆ To correct the Minutes
- ◆ To approve the Minutes
- ◆ To alter the order of business
- ◆ To proceed to the next business

- ◆ To close or adjourn the debate
- ◆ To refer a matter to a Committee
- ◆ To appoint a Committee or any Members thereof
- ◆ To adopt a report
- ◆ To authorise the sealing of documents
- ◆ To amend a motion/resolution
- ◆ To give leave to withdraw a resolution or amendment
- ◆ To extend the time limit for speeches
- ◆ To exclude the press and public. (See Standing Order 2.9)
- ◆ To silence or eject from the meeting a Member named for misconduct
- ◆ To give the consent of the Council where such consent is required by these Standing Orders
- ◆ To consider otherwise than in Committee a question affecting an employee of the Council
- ◆ To invite a Member having an interest in the Subject matter under debate to remain.
- ◆ To suspend any Standing Order. (See Standing Order 6.7)
- ◆ To adjourn the meeting

### **2.6.6 Questions**

2.6.6.1 A Member may ask the Chair or the Clerk any question concerning the business of the Council

2.6.6.2 Every question shall be put and answered without discussion

2.6.6.3 A person to whom a question has been put may decline to answer

2.6.6.4 A Member with or without notice may ask the Chair of a Committee any question upon the proceedings of the Committee

### **2.6.7 Rules of Debate**

2.6.7.1 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair prior to them being signed as a correct record. Any corrections will be minuted as a record of proceedings

2.6.7.2 A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given. It shall, if

required by the Chair, be submitted in writing and handed to the Chair before it is further discussed or put to the meeting

2.6.7.3 A Member when seconding a resolution or amendment may, if s/he then declares his/her intention to do so, reserve his/her speech until a later period of the debate

2.6.7.4 A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order

2.6.7.5 No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed two minutes except by consent of the Council

2.6.7.6 An amendment shall be:

- ◆ To leave out words.
- ◆ To leave out words and insert others.
- ◆ To insert or add words.
- ◆ To make grammatical corrections

2.6.7.7 An amendment shall not have the effect of negating the resolution before the Council. If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved

2.6.7.8 A further amendment shall not be moved until the Council has disposed of every amendment previously moved

2.6.7.9 The mover of a resolution or of an amendment shall have a right of reply, not exceeding two minutes

2.6.7.10 A Member, other than the mover of a resolution, shall not, without permission of the Council speak:

- ◆ more than once on any resolution except to move an amendment or further amendment
- ◆ on an amendment
- ◆ to move a closure

2.6.7.11 A Member may speak on a point of order or a personal explanation. A Member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech that may have been misunderstood

2.6.7.12 A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Member may speak upon

it after permission has been asked for its withdrawal unless such permission has been refused

2.6.7.13 When a resolution is under debate no other resolution shall be moved except the following:

- ◆ To amend the resolution
- ◆ To proceed to the next business
- ◆ To adjourn the debate
- ◆ That the question be now put
- ◆ That a Member named be not further heard
- ◆ That a Member named leaves the meeting
- ◆ That the resolution be referred to a Committee
- ◆ To exclude the public and press
- ◆ To adjourn the meeting

2.6.7.14 A Member shall remain seated when speaking unless requested to stand by the Chair.

2.6.7.15 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed

2.6.7.16 Members shall address the Chair. If two or more Members wish to speak, the Chair shall decide whom to call upon

2.6.7.17 Whenever the Chair speaks during a debate, all other Members shall be silent

## **2.6.8 Closure**

2.6.8.1 At the end of any speech, a Member may, without comment, move "that the question be now put", "that the debate be now adjourned, " or "that the Council do now adjourn". If such motion is seconded the Chair shall put the motion but, in the case of a motion "that the question be now put", only if s/he is of the opinion that the question before the Council has been sufficiently debated.

2.6.8.2 If the motion "that the question be now put" is carried, s/he shall call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived.

2.6.8.3 The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption. (Note: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be

issued except a notification to Members not present on the date of the continuation of the meeting.)

### **2.6.9 Right of Reply**

2.6.9.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote.

2.6.9.2 If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote.

2.6.9.3 A Member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

### **2.6.10 Alteration of Resolution**

2.6.10.1 A Member may, with the consent of his seconder, move amendments to his/her own resolution.

### **2.6.11 Rescission of Previous Resolution**

2.6.11.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, (the written notice whereof bears the names of at least four Members of the Council), or by a resolution moved in pursuance of the report or recommendation of a Committee.

2.6.11.2 When a special resolution or any other resolution moved under the provisions of section 2.6.4 of these Standing Orders has been disposed of, no similar resolution may be moved within a further six months.

## ***2.7 Discussions and Resolutions Affecting Employees of the Council***

2.7.1 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether the public shall be excluded.

## ***2.8 Disorderly Conduct by Members***

2.8.1 All Members must observe the Code of Conduct, which was adopted by the Council, a copy of which is annexed to these Standing Orders.

2.8.2 No Member shall at a meeting persistently disregard the ruling of the Chair, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute. The Chair may move that the Member be not heard further. If seconded the motion will be voted on without discussion.

2.8.3 If the Member continues to behave improperly after such a motion is carried, the Chair may move that either the Member leaves the meeting or that the meeting is adjourned for the specified period. If seconded, the motion will be voted on without discussion.

2.8.4 If a Member reasonably believes another Member is in breach of the Code of Conduct, that Member is under a duty to report the breach to the Standards Board (England)

2.8.5 If the motions mentioned in paragraphs 2.8.1 and 2.8.2 are disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## **2.9 Admission of the Public and Press to Meetings**

2.9.1 The public shall be admitted to all meetings of the Council and its Committees and Sub-Committees, which may, however, temporarily exclude the public and press by means of the following resolution:

"That in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw."

2.9.2 The Council, Committee or Sub-Committee shall state the special reason for exclusion.

2.9.3 At all meetings of the Council, the Chair may at his/her discretion and a convenient time in the transaction of business, adjourn the meeting so as to allow any Members of the public to address the meeting in relation to the business to be transacted at that meeting.

2.9.4 The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

2.9.5 If a Member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that s/he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order. If order cannot be restored the meeting should be suspended and reconvened at a time and date to be confirmed by the Chair.

**2.9.6 If a person's advice or assistance is needed, they may be invited (by name) to remain after the exclusion resolution is passed.**

## **2.10 Annual Meetings**

### **2.10.1 Annual Parish Meeting (APM)**

2.10.1.1 This is a Parish meeting which has to be called by law between March 1 and June 1 (inclusive) once a year. Convention has the meeting held in April. It may be called either by:

- ◆ the Chair of the Parish Council
- ◆ two Parish Councillors
- ◆ six parish electors

2.10.1.2 The purpose of the APM is to let the electors of the Parish have their say. They may propose items for the Agenda under 'APM motions' – see Standing Order 2.10.1.8. These have to be notified to the Clerk at least one calendar week in advance of the APM.

2.10.1.3 The event should be publicised well in advance to enable all electors and groups to formulate Motions and prepare presentations.

2.10.1.4 The Chair of the Parish Council presides over the meeting unless absent when the Vice-Chair presides. If both are absent, a Chair should be nominated and elected by electors present.

2.10.1.5 All electors may vote at an Annual Parish Meeting on Motions itemised on the Agenda, with the Chair having a casting vote.

2.10.1.6 No Resolution of an APM is binding on the Parish Council, but it may be persuasive, and should be discussed at the nearest available Ordinary Meeting.

2.10.1.7 The Clerk must take minutes at an APM.

2.10.1.8 At the Annual Parish Meeting, the Agenda should be:

- ◆ Apologies for absence
- ◆ Approval of previous year's minutes
- ◆ Chair's report on Parish Council performance in past year including financial performance
- ◆ Reports from Committees (these should be itemised)
- ◆ Reports from other official representatives such as local councillors (these should be itemised)
- ◆ Presentations from Parish groups (these should be itemised)

- ♦ APM motions (these should be itemised)
- ♦ Open discussion on Parish Council performance and future directions for the village
- ♦ See also Standing Order 2.11

## **2.10.2 Annual Parish Council Meeting (APCM)**

2.10.2.1 The Statutory Annual Parish Council Meeting (ACPM) is the annual general meeting of the Council

2.10.2.2 In an election year the APCM shall be held on or within 14 days following the day on which the Councillors elected take office.

2.10.2.3 In a year which is not an election year the APCM shall be held on such day in May as the Council may direct.

### **2.10.2.4 Order of Business**

2.10.2.4.1 In an election year, before the APCM commences, Councillors shall execute Declarations of Acceptance of Office in each others presence, or in the presence of the Clerk

2.10.2.4.2 **At each PCM the order of business shall be:**

- ♦ **To elect a Chair**
- ♦ **To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received**
- ♦ **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations**
- ♦ **To decide when any declarations of acceptance of office and written undertakings to observe the Code of Conduct adopted by the Council which have not been received as provided by law, shall be received**
- ♦ To elect a Vice-Chair of the Council
- ♦ To appoint representatives to outside bodies
- ♦ To appoint members to committees and Sub-Committees
- ♦ To inspect any deeds and trust instruments in the custody of the Council as required

### **2.10.2.5 Chair of the APCM**

2.10.2.5.1 The Chair of the APCM should usually be the Chair of the Parish Council. In the absence of this person, the person presiding at a meeting may exercise all the powers

and duties of the Chair in relation to the conduct of the Meeting. (Terms of reference for the Chair can be found in the Appendices and full details of duties and procedures of Chair are contained in the handbook of "Standing Orders and Chairship for Local Councils" issued by the Local Association of Local Councils)

#### **2.10.2.6                    Voting**

2.10.2.6.1    See Standing Order 2.4

### **2.11 *Issuing of Agendas***

2.11.1            The Clerk must provide Councillors with copies of the Agenda at least three clear days before any meeting of the Council.

2.11.2            To facilitate the drafting and issue of the Agenda, Councillors should notify the Clerk at least one calendar week before each meeting of any items they want included. However, items for Agendas are at the discretion of the Clerk and Chair.

2.11.3            If an urgent matter arises less than one calendar week before a meeting, it must be notified to the Clerk who should consult the Chair. The Chair has the discretion to accept or reject such an additional Item onto the Agenda. In any case, the item must be raised before the Agenda is notified to the public.

2.11.4            The public should be notified of any meeting by posting copies of the Agenda on all Parish notice boards and any other mechanism as appropriate at least three clear days before each Meeting of the Council.

2.11.5            The Clerk should also notify the B&NES Councillors with a responsibility for Bathford of the next meeting, by sending them the Agenda at least one calendar week before the meeting. Any other notifications are at the discretion of the Clerk and Chair.

2.11.6            Notification to the public for an Annual Parish Meeting is one calendar week.

## **3 Committees**

### **3.1 Committees and sub committees**

3.1.1 The Council may at its APCM appoint standing Committees. The viability of these Committees should be reviewed annually at the last Parish Council meeting before the APM.

3.1.2 Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.

3.1.3 The list of the Committees and Sub Committees approved to continue in the new Council year should be listed in the minutes of the APCM.

3.1.4 The Council may at any other time appoint such other Committees as are necessary, but subject to any statutory provision and:

- ◆ shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting
- ◆ may co-opt persons other than Members of the Council to any Committee. Non Council co-optees shall have no voting rights and shall serve for a period as determined by the Committee or Sub Committee
- ◆ may at any time dissolve or alter the membership of a Committee

3.1.5 The Chair and Vice-Chair of the Council ex-officio shall be voting members of every Committee.

3.1.6 Every Committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next APM, and shall settle its programme of meetings for the year.

3.1.7 The quorum of a Committee shall be two voting members except in the case of the Planning Committee when it shall be three members.

3.1.8 The Chair of a Committee or the Chair of the Council may summon an additional meeting of that Committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the Members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

3.1.9 The Chair and Vice-Chair of each Committee shall be Members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.

3.1.10 The Standing Orders on rules of debate (Standing Order 2.6.7) (except those parts relating to speaking more than once) and the Standing Order on interests or Members in contracts (Standing Order 5.1) and other matters apply to Committee and Sub-Committee meetings.

3.1.11 Voting in Committees will take place as described in Standing Order 2.4.

3.1.12 In the event of members of Committees generating or being in receipt of correspondence, copies must be forwarded to the Clerk for retention and filing at the earliest opportunity.

## **3.2 Advisory Committees**

3.2.1 The Council may create Advisory Committees, whose name, and number of Members and the bodies to be invited to nominate Members shall be specified.

3.2.2 The Clerk shall inform the Members of each advisory Committee of the terms of reference of the Committee.

3.2.3 An Advisory Committee may make recommendations and give notice thereof to the Council.

3.2.4 An Advisory Committee may consist wholly of persons who are not Members of the Council.

### **3.2.5 Presence of Non-Members of Committees at Committee Meetings:**

3.2.5.1 A Member who has proposed a resolution, which has been referred to any Committee of which s/he is not a Member, may explain his resolution to the Committee but shall not vote.

3.2.5.2 A Councillor may attend any Committee meeting even though not a Member and take part in the discussion but without voting rights.

## **3.3 Substitute Members of Committees**

3.3.1 A Member of a Committee shall, if s/he wishes appoint a Substitute Member to attend a meeting of that Committee in his/her place. S/he must give the Clerk notice in writing of the Substitution not later than noon on the day of an evening meeting or noon the previous day in the case of a daytime meeting that s/he is unable to attend and the Substitute Member named will attend in his/her place. The number of Substitutes which may be appointed for any meeting of a Committee or Sub-Committee shall not exceed two Members or one third of the Membership, whichever is the greater.

3.3.2 The effect of such Substitution notice shall be that the Member giving the notice shall cease to be a Member of that Committee for the duration of that meeting and for the duration of any adjournment of it, and that the Substitute Member shall be a full Member of the Committee for the same period.

3.3.3 A Substitution notice, once given in respect of a meeting of a Committee, may not be revoked in respect of such meeting, or any adjournment of it.

3.3.4 The Member giving notice under paragraph 3.3.1 shall be responsible for notifying the relevant Substitute Member of the Substitution and for forwarding the Committee papers to that Member.

3.3.5 These arrangements shall apply in respect of Sub-Committees as they apply to Committees, with the exception that any Substitute appointed to a Sub-Committee shall be a Member of the parent Committee.

## **4 Finances**

### **4.1 Expenditure**

4.1.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by two Members on presentation of documented evidence. Cheques will be prepared by the Clerk.

4.1.2 Members' expenses are payable subject to the detail in Appendix B

4.1.3 The Clerk's expenses are payable in line with the recommendations of the National Association of Local Clerks (NALC) and the Society of Local Council Clerks (SLCC).

### **4.2 Payments**

4.2.1 All accounts for payment and claims upon the Council shall be laid before the Council.

4.2.2 Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Responsible Financial Officer/Clerk and supported by documented evidence. Such payment shall be authorised by the Committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chair or Vice-Chair of the Council and reported on in the next schedule of payments laid before the Council.

4.2.3 The Council shall authorise and pay to the Clerk a sum of money for petty cash, the amount to be held for this purpose to be reviewed annually by the Admin & Finance Committee. Reimbursement against expenditure for petty cash shall be made to the Clerk on submission of receipts.

### **4.3 Financial Statements**

4.3.1 The Responsible Financial Officer shall supply to each Member as soon as practicable after 31 March in each year a statement of a revenue account of the Council for the completed financial year.

4.3.2 A balance sheet for the year to 31 March shall be presented to each Member before the end of the following month of May.

4.3.3 The Statement of Accounts of the Council (which is Subject to external audit) shall be presented to Council for formal approval before the end of the following month of June.

### **4.4 Estimates/Precepts**

4.4.1 The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of February.

4.4.2 Any Committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than 31 December.

### **4.5 Financial Matters**

4.5.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

4.5.2 Such Regulations shall include detailed arrangements for the following:

- ◆ the accounting records and systems of internal control
- ◆ the assessment and management of risks faced by the Council
- ◆ the work of the Auditor and the receipt of regular reports from the Auditor which shall be required at least annually (NB A serving Member cannot act as an auditor)
- ◆ the financial reporting requirements of Members and local electors:
- ◆ procurement policies including the setting of values for different procedures where the contract has an estimated value less than £50,000

4.5.3 The Financial Regulations of the Council shall be Subject to regular review, at least once every two years. This shall be done by the Finance and Administration Committee in collaboration with the RFO and their recommendations proposed to full Council.

### **4.6 Procurement**

4.6.1 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender as summarised below:

4.6.2 Formal tender process shall comprise the following steps:

- ◆ a public notice of intention to place a contract to be advertised
- ◆ a specification of the goods, materials, services and the execution of works to be drawn up;
- ◆ tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
- ◆ tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one Member of the Council;
- ◆ tenders are then to be assessed and reported to the appropriate meeting of Council or Committee

4.6.3 The Council or a Committee is not bound to accept the lowest tender, estimate or quote. If this is not the case a statement of reason, should be prepared identifying the criteria for selection.

## **5 Conduct of Members**

5.0.1 Councillors and Officers of the Council must at all times ensure that they conduct themselves and carry out their duties in a way that protects the interests and reputation of the Council.

5.0.2 Where they have concerns about the conduct of the Council's business or actions taken on its behalf, Councillors should raise these initially with the Chairman or the Clerk as the Council's Proper Officer.

5.0.3 If it is then felt that the concerns have not been properly or adequately dealt with, the Councillor should bring the matter up before the whole Council for Resolution.

5.0.4 If they are still not satisfied, they may complain to the Standards Board.

5.0.5 Councillors should follow the terms of the Code of Conduct issued by the Standards Board or its equivalent. See Appendix C

### **5.1 Interests**

**5.1.1 If a Member has a personal interest as defined by the Code of Conduct adopted by the Council then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**

**5.1.2 If a Member who has declared a personal interest then considers the interest prejudicial, s/he must withdraw from the room or chamber during consideration of the item to which the interest relates.**

**5.1.3 The Clerk may be required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with agreement reached by the Monitoring Officer of the Responsible Authority and/or as required by statute.**

**5.1.4 The Clerk shall record in a book (or electronically) kept for the purpose, particulars of any notice given by any Member or any Officer of the Council of a pecuniary interest, and the book shall be open during reasonable hours of the day for inspection by any member of the Council.**

5.1.5 If a candidate for any appointment under the Council is to his knowledge related to any Member of or the holder of any office under the Council, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure.

5.1.6 The Clerk shall make known the detail of this Standing Order to every candidate standing for election.

## **5.2 *Canvassing of and Recommendations by Members***

5.2.1 Canvassing of Members of the Council or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this paragraph of this Standing Order to every candidate.

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

## **5.3 *Unauthorised Activities***

5.3.1 No Member of the Council or of any Committee or Sub-Committee shall in the name of or on behalf of the Council:

- ♦ Inspect any lands or premises which the Council has a right or duty to inspect
- ♦ Issue orders, instructions or directions unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

## **5.4 Confidential Business**

5.4.1 No Member of the Council or of any Committee or Sub-Committee shall disclose to any person, not a Member of the Council any business declared to be confidential by the Council, the Committee or the Sub-Committee as the case may be.

5.4.2 Any Member in breach of the provisions of paragraph 5.4.1 of this Standing Order shall be removed from any Committee or Sub-Committee of the Council by the Council for a period to be determined by the Chair.

## **6 Other Council Procedures**

### **6.1 Filling of Council casual vacancies**

6.1.1 Councillors are elected for a term of 4 years, retiring on the 4th day after the date of the normal elections held every four years. At this point, all Councillors, unless re-elected, stand down. However, the Chair and Vice-Chair remain in office until the AGM elects a new Chairman.

6.1.2 A vacancy on the Council may result from the death, disqualification or resignation of a Councillor. Disqualification from office may result from:

- ◆ failure to comply with relevant legislation
- ◆ legal proceedings
- ◆ failure to attend meetings of the Council for a period of six consecutive calendar months from the date of their last attendance unless their absence has been approved by the Council.

6.1.3 The Council may declare the office of anyone disqualified vacant by Resolution at the first available meeting.

6.1.4 The proper procedure as set out in law for ordinary elections should be followed in advertising and filling a vacancy if 10 or more electors request it.

6.1.5 If after 14 clear days the above has not occurred then the Council may co-opt a Councillor. This must be done within 60 days of the public notice.

6.1.6 Expressions of interest from prospective co-optees should be directed to the Clerk on a proforma provided by the Clerk for the purpose.

6.1.7 The Clerk will check the eligibility of these prospective co-optees and make them aware of these Standing Orders.

6.1.8 Details should then be circulated to all Councillors at least one week before the next Council meeting following the closing date for co-optees expressions of interest.

6.1.9 Prospective co-optees shall be given the opportunity to make a brief presentation about their worthiness to hold a position of Councillor at an ordinary Parish Council Meeting or a meeting called for the purpose of hearing these statements.

6.1.10 The decision as whether to accept a prospective co-optee shall be made by Councillors casting a vote.

6.1.11 Co-opted Members remain in office with full rights and obligations until the next election.

## **6.2 Access to Documentation**

6.2.1 A Councillor may as part of their duty inspect any document in possession of the Council or Committee and, if copies are available, request a copy.

6.2.2 The public may access the following documents of the Council under the Freedom of Information Act 2000:

- ◆ Minutes
- ◆ Standing Orders
- ◆ Financial Regulations
- ◆ Declarations of Acceptance of Office
- ◆ Official Register of Members' Interests
- ◆ Bathford PC Register of Interests folder
- ◆ Electoral review documents
- ◆ Job descriptions and terms & conditions of employment
- ◆ Responses to planning applications
- ◆ Accounting and auditing information – latest annual return, latest auditor reports, cash books, bank statements, VAT records, precept request, assets documents, risk assessments.

6.2.3 Other documents may be made available at the discretion of the Council.

6.2.4 The Council should communicate the public's right to the above information and make it available for viewing. This should include public places, as appropriate, such as on our website and in the Post Office.

6.2.5 Hard copies of documents should be available on request. A small fee may be payable for copies of large documents or multi-copies of documents.

6.2.6 Documents should be retained by the Clerk for the specified legal limits.

### **6.3 Liaison with B&NES Councillors**

6.3.1 A Summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the B&NES Councillor/s for the appropriate division or ward.

6.3.2 The Council may order a copy of each letter ordered to be sent to the appropriate B&NES Councillor/s.

### **6.4 Code of Conduct on Complaints**

6.4.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in such manner as adopted by the Council (see Appendix D) except for those complaints, which should be properly directed to the Standards Board (England) for consideration.

### **6.5 Planning Applications**

6.5.1 The Clerk shall, as soon as it is received, enter in a book kept for the purpose/or an electronic database the following particulars of every planning application notified to the Council:

- ◆ the date on which it was received
- ◆ the name of the applicant
- ◆ the place to which it relates
- ◆ a summary of the nature of the application including a list of the enclosures

6.5.2 The Clerk shall notify the receipt and reply date of every planning application to the Chair of the Planning Committee within 48 hours of receipt.

### **6.6 Sealing of Documents**

6.6.1 A document shall not be sealed on behalf of the Council unless it's sealing has been authorised by a resolution.

6.6.2 Any two Members of the Council named in a resolution may seal, on behalf of the Council, any document required by law to be issued under seal.

### **6.7 Variation, Revocation and Suspension of Standing Orders**

6.7.1 Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.

6.7.2 A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

6.7.3 A copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him/her of the Member's Declaration of Acceptance of Office and the written undertaking to observe the Code of Conduct adopted by the Council.

6.7.4 The Standing Orders should be reviewed regularly and at least every 2 years.

## **Appendix A – Terms Of Reference – Officers**

### ***The Chair***

It is the responsibility of the Chair to ensure that the Parish Council is aware of the legal requirements and constraints placed upon it and that it is properly fulfilling all the duties it has undertaken either by statute, by tradition, or by agreement with other local authorities. The Chair shall, in conjunction with the Clerk, interpret the requirements of B&NES and National authorities in the particular setting of the Parish Council and place those requirements and their interpretation before the Council so that appropriate action can be taken.

The Chair, if present, must preside at all meetings of the full Council and is an ex-officio full member of all Standing Committees of the Council. He/she may, by agreement with the Council, also act as Chair of a Committee set up with a specific limited brief but will not normally act as Chair of a Standing Committee.

The Chair may by agreement, delegate specific duties to the Vice Chair and will consult him/her should any matters arise between Council meetings that require urgent action. Where possible the Chair will also involve the Vice Chair in policy or other discussions on major matters.

The Chair, when representing the Council on any organisation or other body, shall present the views of the Council.

The Chair, if present, will preside at the Annual Parish Meeting.

### ***The Vice Chair***

The Vice Chair acts as deputy to the Chair of the Parish Council. During the incapacity or absence of the Chair from the Parish s/he shall assume full responsibility for the office of Chair and the duties thereof as laid down in the Bathford Parish Council Standing Orders. The Vice Chair shall consult with the Chair on matters of policy and matters that arise between Council meetings.

The Vice Chair shall undertake any specified duties as agreed with the Chair at the beginning of or during their year of office.

The Vice Chair shall be kept informed and consult with the Chair on a regular basis on all matters on which s/he has been involved.

The Vice Chair shall be the Council spokesperson and/or representative when the Chair is not available.

The Vice Chair will be an ex-officio full member of all Standing Committees of the Council

## Appendix B – Parish Allowances

### **General Expenses**

General expenses incurred on Council business will be reimbursed at cost at the following Council meeting if the Member presents full justification and details of said expenses on the appropriate council claim form.

### **Mileage**

The Bath & North East Somerset Council's Independent Remuneration Panel confirmed that it was prepared to act as the equivalent Panel for the purpose of considering Parish allowances.

The Panel has noted that under the Local Authority (Members Allowances) (England) Regulations 2003 provision is made for Parish Councils to pay a basic allowance to its Chair only or to each of its members. Provision is also made for the payment of travelling and subsistence allowances to their Councillors. In setting the levels of such allowances, Parish Councils must have regard to the recommendations of the Independent Panel.

Based on views expressed in evidence to the Panel, and our own view, the Panel does not believe it is either relevant or necessary to provide for a Parish basic allowance in Bath & North East Somerset. There is evidence of a strong culture of voluntary engagement by Parish Councillors, which the Panel believed would not be served by the concept of a basic allowance.

**The Panel's recommendation therefore is that no parish or town council within Bath & North East Somerset should make a basic allowance available to its members. With regard to travelling rates, the Panel has decided to recommend the rates of the National Association of Local Councils which are:**

- ◆ 36.4 p per mile up to 999cc
- ◆ 40.2 p per mile up to 1199cc
- ◆ 49.9 p per mile up to 1450cc

**Subsistence is recommended to be on an actual expenses incurred basis consistent with that recommended to the Bath & North East Somerset Council.**

The duties to which these allowances apply are those specified within the Regulations namely:

- ◆ A meeting of the authority
- ◆ A meeting of a Committee or Sub Committee of the authority
- ◆ A meeting of some other body to which the authority make appointments or nominations (eg an outside body)
- ◆ A meeting of a Committee or Sub Committee of such a body;
- ◆ Duties undertaken on behalf of the authority in pursuance of any standing order requiring member attendance while tenders are opened;
- ◆ A meeting of a local authority association of which the authority is a member

- ◆ Duties undertaken on behalf of the authority in connection with the discharge of any function of the authority empowering or requiring the authority to inspect premises;
- ◆ Any other duty approved by the authority in connection with discharging the duties of the authority or of its Committees/Sub Committees

Parish Councils are reminded that this new legislation disapplies certain existing allowance provisions within the Local Government Act 1972 with effect from 31st December 2003. This means that attendance allowance outside the parish, financial loss as an alternative, existing travelling and Subsistence payments and conference attendance allowances are all replaced by the new provisions at the end of the calendar year.

## **Appendix C – Code of Conduct**

Bathford Parish Council has adopted the following Code of Conduct based on the Parish Councils (Model Code of Conduct) Order 2001 and guidance from the Standards Board. (Council is to mean Parish Council unless stated otherwise. Councillors are Parish Councillors.)

### **General**

All Councillors must:

- ◆ promote equality by not discriminating unlawfully against any person
- ◆ treat others with respect
- ◆ only use the Council's resources in accordance with its requirements
- ◆ ensure they don't use the Council's resources for political purposes unless it is part of the functions of either the Council or their elected office
- ◆ write to the Standards Board for England if they reasonably believe another member is breaking this Code of Conduct.

All Councillors must not:

- ◆ compromise the impartiality of anyone who works for, or on behalf of, the Council
- ◆ disclose confidential information without valid consent
- ◆ prevent anyone getting information that they are entitled to
- ◆ bring their office or Council into disrepute at any time
- ◆ use their position improperly to the advantage or disadvantage of themselves or anyone else.

### **Meetings**

All Councillors have a duty to declare interests at meetings. There is a Register of Interests for this purpose.

Councillors should make declarations at the beginning of the meeting or as soon as they are aware of the issue being discussed. They should also say if anything being discussed relates to anything they are required to declare on the Register of Interests.

Councillors should ask the Clerk if they are in doubt about declaring interests.

### **Personal interests**

If an issue to be discussed affects a Councillor more than other people in the Parish, they must say they have a personal interest, but can stay and take part and vote in the meeting.

This applies if the personal interest concerns either:

- ◆ the Councillor
- ◆ their partner, relative or a friend
- ◆ their employer, or the employer of their partner, relatives or friends
- ◆ any corporate body in which they, their partner, relatives or friends hold shares with a nominal value of more than £5000 or of which they are a director
- ◆ any company in which they, their relatives or friends are partners.

Councillors must also declare a personal interest if discussion concerns one of the following organisations in which they, their relatives or friends hold a position of control or management:

- ◆ a body where they are a representative or nominee of the Council such as the Village Hall Committee
- ◆ a body exercising public functions
- ◆ a company, industrial and provident society, charity or body directed to charitable purposes
- ◆ a body which aims to influence public opinion or policy
- ◆ a trade union or professional association.

### **Prejudicial interests**

If Councillors think that a member of the public, who knows all the relevant facts, could view their personal interest in an issue being discussed to be so great that it is likely to prejudice their judgement of the public interest, then they must leave the meeting. They must leave the room and not try to influence any decisions made.

Councillors also have a prejudicial interest if they are a member of an overview and scrutiny committee that is considering a decision taken by another committee of which they are a member.

## Appendix D – Complaints Procedure

This Complaints Procedure is based on one by the National Association of Local Councils (NALC).

The following 2 step complaints procedure is available to complainants to enable the parish council to respond effectively and efficiently with complaints about the parish council and its activities.

### Step 1

1. Address your complaint in writing to The Clerk or the Chair of the Parish Council. The Clerk or other nominated officer shall acknowledge receipt of the complaint. On receipt of the complaint the Clerk will determine which relevant committee Chair it should be passed to. The Chair will then try to resolve the problem by:
  - a. talking to the complainant on the telephone;
  - b. if this is not successful a one-to-one meeting in the Parish Office or on site will be arranged;
  - c. if the problem still remains the council will write to the complainant setting out suggestions to resolve the matter after the appropriate committee has discussed the issue involved at their next committee meeting. This should be held as soon as possible after steps **a.** and **b.** have failed. The council will issue this letter within 20 working days of receipt of the complaint.
2. Where the Clerk or Chair receives a written complaint about their own actions, they should refer the complaint to the Council.
3. The Clerk or Chair should report to the next meeting of the Council any written complaint dealt with directly with the complainant.

### Step 2

4. If the complainant feels that their complaint has not been dealt with adequately in writing then the complainant shall be invited to attend a meeting with representatives from the council (3 maximum) and to bring with them a representative if they wish.
5. Seven clear working days prior to the meeting, the complainant shall provide the council with copies of any documentation or other evidence relied on. The council shall provide the complainant with copies of any documentation upon which they wish to rely at the meeting and shall do so promptly, allowing the claimant the opportunity to read the material in good time for the meeting.
6. The council shall consider whether the circumstances of the meeting warrant the exclusion of the public and the press. Any decision on a complaint shall be announced at the council meeting in public.

7. The chairman should introduce everyone and explain the procedure.
8. The complainant (or representative) should outline the grounds for complaint and, thereafter, questions may be asked by (i) the clerk or other nominated officer and then (ii), members.
9. The clerk or other nominated officer will have an opportunity to explain the council's position and questions may be asked by (i) the complainant and (ii), members.
10. The clerk or other nominated officer and then the complainant should be offered the opportunity to summarise their position.
11. The clerk or other nominated officer and the complainant should be asked to leave the room while members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties shall be invited back.
12. The clerk or other nominated officer and the complainant should be given the opportunity to wait for the decision but if the decision is unlikely to be finalised on that day they should be advised when the decision is likely to be made and when it is likely to be communicated to them.
13. The decision should be confirmed in writing within seven working days together with details of any action to be taken.

**Complaints about failure to comply with the Code of Conduct**

14. If the complaint relates to a failure to comply with the Code of Conduct, this must be submitted to the Standards Committee of Bath and North East Somerset at the following address:-

Standards Committee  
 c/o Monitoring Officer  
 3<sup>rd</sup> Floor  
 Riverside  
 Keynsham  
 BS31 1LA

15. Further information about the new local assessment system is available on the Bath and North East Somerset Council's website [www.bathnes.gov.uk](http://www.bathnes.gov.uk)

This Complaints Procedure was adopted by Bathford Parish Council at its meeting on 20 September 2010.

Signed..... Signed.....  
 Clerk Chair