

# Raglan Community Council Standing Orders

Adopted in May 2017

## 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- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 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 Raglan Community 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.
- j Subject to standing order 1(k) below, 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 Raglan Community 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 of 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 Raglan Community Councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another Raglan Community 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. in exercise of a right of reply.
- p During the debate of a motion, a Community Councillor may interrupt only on a point of order or a personal explanation and the Raglan Community Councillor who was interrupted shall stop speaking. A Raglan Community 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 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 understanding order 1(r) above, the contributions or speeches by a Raglan Community 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 Raglan Community Councillor or the Chairman of the meeting may move that the person be no longer heard or 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) above 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

Full Raglan Community Council meetings

Committee meetings

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 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 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** OR The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.

- 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) above shall not exceed (3) minutes unless directed by the Chairman of the meeting.
- g Subject to standing order 3(f) above, a member of the public shall not speak for more than (3) minutes.
- h In accordance with standing order 3(e) above, 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 his 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 **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted.**
- m **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.**

- n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Raglan Community Council may in his absence be done by, to or before the Vice-Chairman of the Raglan Community Council (if any).**
- o **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Raglan Community Councillor as chosen by the Raglan Community Councillors present at the meeting shall preside at the meeting.**
- p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Raglan Community Councillors or Raglan Community Councillors with voting rights present and voting.**
- q **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(i) and (j) below for the different rules that apply in the election of the Chairman of the Raglan Community Council at the annual meeting of the Raglan Community Council.*
- r **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Raglan Community Councillor, the voting on any question shall be recorded so as to show whether each Raglan Community 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.
- s 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 Raglan Community Councillors present and absent;
  - iii. interests that have been declared by Raglan Community Councillors and non-Raglan Community Councillors with voting rights;
  - iv. whether a Raglan Community Councillor or non-Raglan Community 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.

t *A Raglan Community Councillor or a non-Raglan Community Councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts his right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Raglan Community Council.*

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

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

v **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.

w A meeting shall not exceed a period of (2 hours 15 minutes).

#### **4) Committees and sub-committees**

a **Unless Raglan Community Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **Members of a committee may include non-Raglan Community Councillors unless it is a committee which regulates and controls the finances of Raglan Community Council.**

c **Unless Raglan Community Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Raglan Community Councillors.**

d Raglan Community Council may appoint standing committees or other committees 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 full Raglan Community Council;
- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

- iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing orders 4(b) and (c) above, 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 (2) 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. shall permit a committee other than a standing committee, 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 and a sub-committee which shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee.

#### **5) Ordinary Raglan Community Council meetings**

- a In an election year, the annual meeting of the Raglan Community Council shall be held on or within 14 days following the day on which the new Raglan Community Councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a Raglan Community Council shall be held on such day in May as Raglan Community Council may direct.**
- c If no other time is fixed, the annual meeting of Raglan Community Council shall take place at 7pm.**
- d In addition to the annual meeting of Raglan Community Council, any number of other ordinary meetings may be held in each year on such dates and times as the Raglan Community Council may direct.**
- e The first business conducted at the annual meeting of Raglan Community Council shall be the election of the Chairman and Vice-Chairman (if any) of Raglan Community Council.**

- f The Chairman of Raglan Community 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 Raglan Community Council.**
- g The Vice-Chairman of Raglan Community Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of Raglan Community Council at the next annual meeting of Raglan Community Council.**
- h In an election year, if the current Chairman of Raglan Community Council has not been re-elected as a member of Raglan Community Council, he shall preside at the meeting until a successor Chairman of Raglan Community Council has been elected. The current Chairman of Raglan Community Council shall not have an original vote in respect of the election of the new Chairman of Raglan Community Council but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Chairman of Raglan Community Council has been re-elected as a member of Raglan Community Council, he shall preside at the meeting until a new Chairman of Raglan Community Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of Raglan Community Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of Raglan Community Council and Vice-Chairman (if any) of Raglan Community Council at the annual meeting of the Raglan Community Council, the business of the annual meeting shall include:**

  - i. In an election year, delivery by the Chairman of Raglan Community Council and Raglan Community Councillors of their acceptance of office forms. In a year which is not an election year, delivery by the Chairman of Raglan Community Council of his acceptance of office form unless Raglan Community Council resolves for this to be done at a later date;**
  - ii. All members must attend training relating to the members Code of Conduct and any other training that is required in the term of office.
  - iii. Confirmation of the accuracy of the minutes of the last meeting of Raglan Community Council;
  - iv. Receipt of the minutes of the last meeting of a committee;
  - v. Consideration of the recommendations made by a committee;
  - vi. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vii. Review of the terms of reference for committees;



- viii. Appointment of members to existing committees;
- ix. Appointment of any new committees in accordance with standing order 4 above;
- x. Review and adoption of appropriate standing orders and financial regulations;
- xi. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xii. Review of representation on or work with external bodies and arrangements for reporting back;
- xiii. Review of inventory of land and assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. Review of Community Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Community Council's complaints procedure;
- xvii. Review of the Community Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. Review of the Community Council's policy for dealing with the press/media; and
- xix. Determining the time and place of ordinary meetings of full Community Council up to and including the next annual meeting of the Community Council.

**6) Extraordinary meetings of Raglan Community Council and committees and sub-committees**

- a The Chairman of the Community Council may convene an extraordinary meeting of the Community Council at any time.**
- b If the Chairman of the Community Council does not or refuses to call an extraordinary meeting of Raglan Community Council within seven days of having been requested in writing to do so by two Raglan Community Councillors, any two community Councillors may convene an extraordinary meeting of the Community Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Raglan Community Councillors and severed on the clerk.**
- c The Chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the Chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within (21) days of having been requested by to do so by (4) members of the committee or the sub-committee, any (2) members of the committee and the sub-committee may convene an extraordinary meeting of a committee and a sub-committee.

## **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 (75%) Raglan Community Councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within 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 Community 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 which it is tabled for and in any event shall relate to the performance of the Community Council's statutory functions, powers and obligations or an issue which specifically affects the Community 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 (7) clear days before the meeting.  
(7) Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, 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) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood 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, Raglan Community Councillors who have convened the meeting, to consider whether the motion

shall be included in the agenda or rejected.

- f Subject to standing order 9(e) above, 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 in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their 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 sensitive information which is prejudicial to the public interest;
  - xii. to not hear further from a Raglan Community Councillor or a member of the public;
  - xiii. to exclude a Raglan Community 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 requirements);
  - xvi. to adjourn the meeting; or
  - xvii. to close a meeting.

#### **11) Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

- b Raglan Community Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

### **12) Draft minutes**

- a If the draft minutes of a preceding meeting have been served on the Community 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) above.
- 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:
- e Upon 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**

*Standing order 3(t) above will also apply.*

- a **Raglan Community Councillors and non-Raglan Community Councillors with voting rights shall observe the code of conduct adopted by the Raglan Community Council.**
- b All Raglan Community Councillors shall undertake training in the code of conduct within 12 weeks of the delivery of their acceptance of office form.
- c **Dispensation requests shall be in writing and submitted to the standards committee of Monmouthshire County Council,** as soon as possible before the meeting that the dispensation is required for. Copies of the dispensation should also be copied to the clerk of **Raglan Community Council**

#### **14) Code of conduct complaints**

- a All complaints relating to breaches of the Code of Conduct by Community and Town Councils should be reported to the Public Service Ombudsman for Wales
- b Raglan Community Council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
  - iii. Indemnify Raglan Community Councillor or non-Raglan Community Councillor with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the full Raglan Community Council.

#### **15) Proper Officer**

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by Raglan Community 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 Raglan Community Council, an ordinary or committee and a sub-committee serve on Raglan Community Councillors, by email delivery or post at their residences, a signed summons confirming the time, place and the agenda.**  
OR  
at least three clear days before a meeting of Raglan Community Council, an ordinary or committee and a sub-committee serve on Raglan Community Councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.  
*See standing order 3(b) above for the meaning of clear days for a meeting of a full Raglan Community Council and standing order 3 (c) above for a meeting of a committee.*
  - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the Raglan Community Council or a meeting ordinary or committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of Raglan Community Council convened by Raglan Community Councillors is signed by them);**

- iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a Raglan Community Councillor has given written notice at least (5) days before the meeting confirming his withdrawal of it;
- iv. **convene a meeting of Raglan Community Council for the election of a new Chairman of Raglan Community Council, occasioned by a casual vacancy in his office;**
- v. facilitate inspection of the minute book by local government electors;
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from Raglan Community Councillors;
- viii. retain a copy of every Raglan Community Councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Raglan Community Council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of Raglan Community Council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by Raglan Community Council in paper and electronic form;
- xii. arrange for legal deeds to be executed;  
*See also standing order 22 below.*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by Raglan Community Council in accordance with the Raglan Community Council's financial regulations;
- xiv. record every planning application notified to Raglan Community Council and the Raglan Community Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by Raglan Community Council to the Council or the planning committee to
- xvi. facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Raglan Community Council OR committee;
- xvii. manage access to information about Raglan Community Council via the publication scheme; and
- xviii. retain custody of the seal of Raglan Community Council (if any) which shall not be used without a resolution to that effect.  
*See also standing order 22 below.*

#### **16) Responsible Financial Officer**

- a Raglan Community 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 Community Councils in Wales – A Practitioners' Guide.
- b All payments by Raglan Community Council shall be authorised, approved and paid in accordance with the law, proper practices and the Raglan Community Council's financial regulations.
- c The Responsible Financial Officer shall supply to each Raglan Community Councillor as soon as practicable after 30 June, 30 September and 30 January in each year a statement to summarise:
  - i. Raglan Community Council's receipts and payments for each quarter;
  - ii. Raglan Community Council's aggregate receipts and payments 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 Raglan Community Councillor with a statement summarising the Community Council's receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full Raglan Community Council the accounting statements for the year in the form of Section 1 of the annual 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 applying the form of accounts determined by Raglan Community Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each Raglan Community Councillor before the end of the following month of May. The annual return of Raglan Community Council, which is subject to external audit, including the annual governance statement, shall be presented to Raglan Community Council for consideration and formal approval before 30 June.

## **18)Financial controls and procurement**

Raglan Community 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 Raglan Community

- 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 Raglan Community Councillors and local electors of the Raglan Community Council's accounts and/or orders of payments; and
  - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£2,000].
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 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 £1,500 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 Raglan Community 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 Community Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Community Council's written response to the tender and (iv) the prohibition on prospective contractors contacting the Community 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 Raglan Community 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 Raglan Community Council or a committee or sub-committee with delegated responsibility.
- e Neither Raglan Community Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) Raglan Community Council must consider whether the Public Contracts Regulations 2006**



**(SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, Raglan Community Council must comply with EU procurement rules.**

**19) Handling staff matters**

- a A matter personal to a member of staff that is being considered by a meeting of Raglan Community Council OR any committee OR sub-committee is subject to standing order 11 above.
- b Subject to the Community Council's policy regarding absences from work, the Community Council's most senior member of staff shall notify the Chairman of any committee OR sub-committee or, if he is not available, the vice-Chairman of any committee OR sub-committee of absence occasioned by illness or other reason and that person shall report such absence to any committee OR sub-committee at its next meeting.
- c The Chairman of any committee OR sub-committee or in his absence, the vice-Chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of [the employee's job title]. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the relevant committee OR sub-committee].
- d Subject to the Community Council's policy regarding the handling of grievance matters, the Community Council's most senior employee or other employees shall contact the Chairman of any committee OR sub-committee OR sub-committee or in his absence, the vice-Chairman of any committee OR sub-committee OR sub-committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of any committee OR sub-committee OR sub-committee.
- e Subject to the Community Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the employee's job title relates to the Chairman or vice-Chairman of any committee OR sub-committee this shall be communicated to another member of any committee OR sub-committee , which shall be reported back and progressed by resolution of the relevant committee OR sub-committee
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The Community Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.

- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to (post holder) and/or the Chairman of the Raglan Community Council OR any committee OR sub-committee].

## **20) Requests for information**

- a Requests for information held by Raglan Community Council shall be handled in accordance with Raglan Community Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the relevant committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## **21) Relations with the press/media**

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

## **22) Execution and sealing of legal deeds**

- a A legal deed shall not be executed on behalf of Raglan Community Council unless authorised by a resolution.

**Subject to standing order 22(a) above, any two Raglan Community Councillors may sign, on behalf of the Community Council, any deed required by law and the Proper Officer shall witness their signatures.**

*The above is applicable to a Raglan Community Council without a common seal.*

## **23) Communicating with County or Unitary Councillors**

- a An invitation to attend a meeting of the Community Council may be sent, together with the agenda, to the ward member from Monmouthshire County Council representing the area of the United Raglan and district areas.

**24)Restrictions on Raglan Community Councillor activities**

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

**25)Standing orders generally**

- a All or part of a standing order, except one that incorporates mandatory statutory 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 Community Council’s standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a Special motion, the written notice by at least 7 days Raglan Community Councillors to be given to the Proper Officer in accordance with standing order 9 above
- c The Proper Officer shall provide a copy of the Community Council’s standing orders to a Raglan Community Councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.

Proposed by Cllr ..... Date .....

Seconded by Cllr ..... Date .....

Chairman Cllr .....Date .....

# Raglan Community Council

## Admission to Meetings

Adopted in May 2017

The council will consider invoking the powers under the following Act if members consider the business on the agenda is or would be prejudicial to the public interest because of the confidential nature of the business to be transacted. The chairman will propose or invite a member, if no member proposes that the Press and Public excluded during the whole or part of the proceedings said meeting.

- Access to information: Items below on this agenda the press and public may under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

### **Extract from the Act**

#### **Admission of public to meetings of local authorities and other bodies**

(1) Subject to subsection

(2) below, any meeting of a body exercising public functions, being a body to which this Act applies, shall be open to the public.

(3) A body may, by resolution, exclude the public from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed, this Act shall not require the meeting to be open to the public during proceedings to which the resolution applies.

(4) A body may under subsection (2) above treat the need to receive or consider recommendations or advice from sources other than members, committees or sub-committees of the body as a special reason why publicity would be prejudicial to the public interest, without regard to the subject or purport of the recommendations or advice; but the making by this subsection of express provision for that case shall not be taken to restrict the generality of subsection (2) above in relation to other cases (including in particular cases where the report of a committee or sub-committee of the body is of a confidential nature).

(5) Where a meeting of a body is required by this Act to be open to the public during the proceedings or any part of them, the following provisions shall apply, that is to say,—

(a) public notice of the time and place of the meeting shall be given by posting it at the offices of the body (or, if the body has no offices, then in some central and conspicuous place in the area with which it is concerned) three clear days at least before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened;

(b) there shall, on request and on payment of postage or other necessary charge for transmission, be supplied for the benefit of any newspaper a copy of the agenda for the meeting as supplied to members of the body (but excluding, if thought fit, any item during which the meeting is likely not to be open to the public), together with such further statements or particulars, if any, as are necessary to indicate the nature of the items included or, if thought fit in the case of any item, with copies of any reports or other documents supplied to members of the body in connection with the item;

(c) while the meeting is open to the public, the body shall not have power to exclude members of the public from the meeting and duly accredited representatives of newspapers attending for the purpose of reporting the proceedings for those newspapers shall, so far as practicable, be afforded reasonable facilities for taking their report and, unless the meeting is held in premises not belonging to the body or not on the telephone, for telephoning the report at their own expense.

(6) Where a meeting of a body is required by this Act to be open to the public during the proceedings or any part of them, and there is supplied to a member of the public attending the meeting, or in pursuance of paragraph (b) of subsection (4) above there is supplied for the benefit of a newspaper, any such copy of the agenda as is mentioned in that paragraph, with or without further statements or particulars for the purpose of indicating the nature of any item included in the agenda, the publication thereby of any defamatory matter contained in the agenda or in the further statements or particulars shall be privileged, unless the publication is proved to be made with malice.

(7) When a body to which this Act applies resolves itself into committee, the proceedings in committee shall for the purposes of this Act be treated as forming part of the proceedings of the body at the meeting.

(8) Any reference in this section to a newspaper shall apply also to a news agency which systematically carries on the business of selling and supplying reports or information to newspapers, and to any organisation which is systematically engaged in collecting news for sound or television broadcasts or for programme services (within the meaning of the Broadcasting Act 1990) other than sound or television broadcasting services; but nothing in this section shall require a body to permit the taking of photographs of any proceedings, or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place.

(9) The provisions of this section shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other misbehaviour at a meeting.

Proposed by: .....

Seconded by .....

Signed by Chairman .....

# **Raglan Community Council**

## **Six month rule on attendance of meetings**

Adopted in May 2017

The Six Month Rule the Local Government Act 1972 says (insofar as is relevant to Community Councils)

If a member of the Community Council fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Community Council, he shall, unless the failure was due to some reason approved by the Council before the expiry of that period, cease to be a member of the Community Council.

The effect of this provision is that a member automatically ceases to hold office as soon as the six month period expires if that member's Council has not formally approved the Councillor's absence before that date. This means that before the six month period runs out the Council will:

*Need to know the reason for the absence.*

and

*The Council must decide (by a resolution) whether or not it approves the reason given for that Councillor's absence.*

It is not sufficient simply to 'note apologies'. 'Noting apologies' tells the Council nothing as to whether or not the members of the Council accepted and approved the reason given for the absence, or, indeed, whether any reason was given at all.

Approval may be given by the Council to an absence in advance; for example, where a member is intending to work abroad for an extended period. What if the absent member is unable to send his or her apologies (perhaps because the Councillor is seriously ill in hospital)? If the Council know the reason and choose to approve the absence, they can do so. In reaching a decision, the Council may want to consider how likely it is that the Councillor will be able to return within a reasonable period of time and whether the delay will be such that the interests of democracy would be better served by allowing the office to be vacated and seeking to fill the vacant seat with someone else.

The responsibility for ensuring that a member of Council does not vacate his or her office through continuous failure to attend meetings rests entirely with the individual Councillor and no-one else. The clerk will, keep a note on any situation where a member of his or her Council is in danger of losing office through absence from meetings without the

Council's formal approval. The clerk will draw the implications to the member's attention before the six months period has expired.

### **Under s85 (2) on the Six Month Rule**

'Attendance at a meeting of the Council' can be attendance at a meeting other than a meeting of the full Council. Sub-section 85(2) says:

*"Attendance as a member at a meeting of any committee or sub-committee of the Council, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the Council are being discharged, or who were appointed to advise the Council on any matter relating to the discharge of their functions, and attendance as representative of the Council at a meeting of any body of persons, shall be deemed for the purposes of subsection (1) above to be attendance at a meeting of the Council."*

A member who has missed full Council meetings of his or her own Community Council, will not fall foul of the six month rule before the deadline he or she has attended one of these other specified types of meeting in a formal capacity (as a member of the committee etc, or in his or her role as a Councillor, or as the Council's representative).

**Special Provision for Serving Members of the Armed Forces** etc there is special provision for the six month rule to be disciplined in the case of a member of the Armed Forces on active duty, if the failure to attend meetings is due to that employment.

Non-Attendance whilst suspended if a member of a Community Council is suspended or partially suspended for a breach of the Code of Conduct for Members, the period during which he or she is suspended or partially suspended shall be disregarded for the purpose of calculating the six months. A period during which a member fails to attend meetings of the Council that falls immediately before, and another such period that falls immediately after, a period of suspension or partial suspension shall be treated as consecutive.

Non-Attendance whilst exercising a family absence right similarly, any period during which a member of a Community Council is exercising a right to 'family absence' for members under Part 2 of the Local Government (Wales) Measure 2011 is to be disregarded. But, the period during which a member fails to attend meetings of the Council that falls immediately before the 'family absence' and the period that falls immediately after it are to be treated as consecutive.

# RAGLAN UNITED COMMUNITY COUNCIL

## APOLOGY FOR ABSENCE

MEETING: \_\_\_\_\_ DATE: \_\_\_\_\_

REASON FOR ABSENCE (see note)

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### Guidance Note

It is the policy of the Council that members unable to attend meetings should submit an apology in writing by completing this form. Whenever possible the form should be handed to the Clerk of the Council before the start of the meeting.

Members are also asked, although there is no requirement to do so, to indicate a reason for non-attendance.

Failure to attend any meeting of the Council for a continuous period of six months will render a member unable to continue in office unless their absence was due to some reason approved by the Council before the expiry of six months since the date of the last meeting attended.

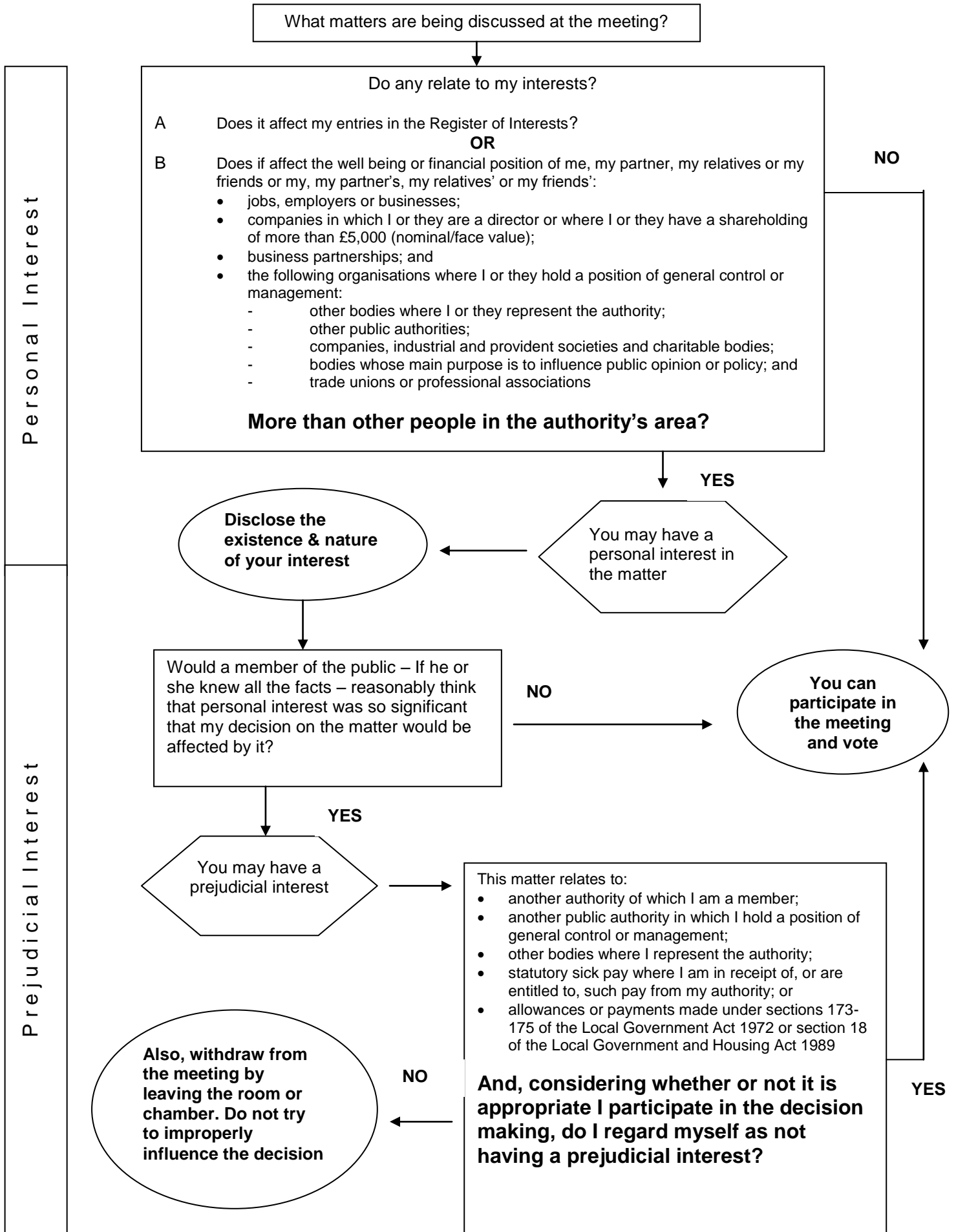
Name: (please print)

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



# DECLARING INTERESTS FLOWCHART



# Raglan Community Council

## Public to attend meetings

Adopted in May 2017

The council will encourage members of the public to attend meetings and ask a question in the time is allotted on the agenda. 15 minutes will be set aside for members of public to address the Council with any concerns. Members of the public will need to confirm the question in writing to the clerk, three working days before meeting, to place any concerns on the following agenda of council meetings for debate.

Members of the public take their authority from the procedures you adopt for the running of the meeting. Your procedures operate on the basis of statutory provision.

The community council may make standing orders for the regulation of their proceedings and business (*paragraph 42 of Schedule 12 to the Local Government Act 1972*). Clearly, adopting a procedure for public participation is a matter of local choice (*albeit in the knowledge that the provision of a participative session is a requirement for those councils seeking quality accreditation*).

The community council will allow the public to engage with them at the allotted time in meetings, subject of course to necessarily strict rules concerning speeches, 3 minute time-limits and subject-matter and all subject to the control of the Chairman in the conduct of the meeting.

These include public question-times, the making of representations on planning applications and in licensing proceedings, the receipt of evidence in overview and scrutiny committees and in many other instances. These people are, of course, invitees who are assisting the council in its processes. Members of the public are not, however, taking part in a deliberative or decision-making sense.

The council may exclude the Press and Public under the Public Bodies (Admission to Meetings) Act 1960. Access to information: Items on any agenda may be restricted to the press and public may under the Public Bodies (Admission to Meetings) Act 1960, the public and representatives of the press and broadcast media be excluded from the meeting during the consideration of the following items of business as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

Public participation therefore needs to be properly managed and structured in a way that has a clear beginning and end.

Proposed by: .....

Seconded by .....

Signed by Chairman .....

2017