

**Welcome to Leintwardine Group Parish  
Council**

**May 2016**

**Useful Information for all Elected  
Councillors and Co-opted Members of  
the Council**

Paul Russell  
Clerk to the Council

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## FORMS YOU NEED TO COMPLETE

Subject	Timescale for Completion	Purpose of Form	To whom it should be returned
Acceptance of Office	Within two months of being elected	Acceptance of Office and to abide by the Members Code of Conduct.	To be completed in the presence of the Clerk to the Council. This is normally completed at the Annual Council Meeting in May.
Register of Interest	Within 28 days of date of election or co-option	To register any interests and any interests and gifts and hospitality received	The Monitoring Officer at Herefordshire Council. The Governance Team can be contacted at: Herefordshire Council, The Shirehall, St Peters Square, Hereford HR1 2HX Telephone: 01432 260201 Email: <a href="mailto:GovernanceSupportTeam@herefordshire.gov.uk">GovernanceSupportTeam@herefordshire.gov.uk</a> Support will be provided by the Clerk to the Council in the first instance who will have the relevant forms available
Payment of Allowances	Leintwardine Group Parish Council does not pay Members an allowance.	No information required	
Your Contact Details	As soon as possible. This should include a digital photograph	To enable the council to: <ul style="list-style-type: none"> <li>• Arrange for delivery of your mail. Please note that all agendas are sent by email and are electronic. No hard copies will be provided unless requested</li> <li>• Update the Council Website with your details</li> <li>• For Council records</li> </ul>	Paul Russell, Clerk to the Council <a href="mailto:leintwardinegpc@gmail.com">leintwardinegpc@gmail.com</a>  A form is included in this pack

## Leintwardine Group Parish Council

### Background

Town and Parish Councils are currently the most common type of local council in England and Wales. They were constituted by the Local Government Act 1894 taking on powers and duties which, until then, had been administered by churchwardens and overseers of the poor.

The current powers and duties of town and parish councils are derived from various parts of legislation including the Local Government Act 1972 and more recently the Localism Act 2011.

Town and Parish Councils exist to discuss community affairs and exercise the powers bestowed on them. The council itself is made up of councillors who are either elected by local residents or selected to fill vacancies through co-option.

Leintwardine Group Parish Council employs a Clerk to the Council who acts as the Council's Proper Officer and the Responsible Financial Officer. It also has a Grounds Contractor, D C Gardening Services, who were awarded a three year contract in February 2016 and which will run from 2016 to 2019, to carry out all the grounds maintenance of the Council's open spaces and Leintwardine Cemetery. D C Gardening Services is also a qualified Lengthsman.

The majority of the Parish Council's income is derived from an annual council tax charge, known as the precept, which is charged to local electors. The precept is set each year by the council as part of its annual budgeting process and is collected on the Parish Council's behalf by Herefordshire Council, the local authority responsible for collecting council tax for this area.

Additional income is derived from Leintwardine Cemetery (Leintwardine Group Parish Council is the local Burial Authority), grants, wayleaves and interest on bank balances.

### So what does the Parish Council do?

Parish and town councils are legally able to provide a range of services although none of them are statutory. The only statutory service is the provision of allotments if requested by ten or more parish residents. This means that councils do not have to provide any services by law except allotments. This is because not all the population in England is served by a parish, town or city council.

The Town Council provides a variety of services including:

- The Lengthsman Service in partnership with Herefordshire Council
- Management and maintenance of Leintwardine Cemetery
- Maintenance of the area adjacent to the River Teme
- Maintenance of the Village Green, Sawpit Bank and Criftins Play Area
- Maintenance of the verge at Criftins

Appendix One provides a short summary of the main local council powers.

## Councillors

Leintwardine Group Parish Council comprises of 14 Members or Councillors representing 3 Wards. Each Councillor is elected for a 4-year uninterrupted term of office.

Councillors have various roles including:

- Chair and Vice Chair of the Council
- Representatives of local residents
- Representatives on outside bodies
- Ward representatives

## Decision-making

### Council

The Council sets policy and service delivery objectives. It agrees the budget and sets an annual precept each year.

There are five types of Council Meetings:

- The Annual Council meeting held in May (required by law)
- Ordinary Council meetings (at least 3 a year required by law)
- Extraordinary Council meetings
- The Annual Parish Assembly normally held in May

Leintwardine Group Parish Council does not currently appoint any committees to carry out delegated roles or advice Council on specific matters such as finance. All business is transacted once a month at the Full Council meeting which is normally held at 8pm on the first Thursday of each month (excluding August) in the Reading Room, Leintwardine Library.

Under the Council's Standing Orders the full Council, on which all 14 Councillors serve, elects a Chair and Vice Chair on an annual basis. It also appoints Councillors to represent it on various outside bodies.

Full Council considers a variety of matters that directly affect the administration of the Council and the local area. Outlined below is a description of some of the items considered:

### Finance

Council is responsible for all financial matters aspects relating to the legal functioning of the Council. It monitors income and expenditure at each meeting, agrees outstanding payment of accounts, develops the annual budget and sets a precept for adoption.

### Policies

Council is responsible for developing and reviewing a range of policies including Standing Orders and Financial Regulations. There are also policies relating to the financial management and risk of the Council, staffing and health and safety.

### **Planning & Highways**

Council considers all planning and highway matters within the Parish and forwards observations, concerns and objections on planning applications to Herefordshire Council.

### **Leintwardine Cemetery**

Council is the local Burial authority. It is responsible for the management and maintenance of Leintwardine Cemetery and oversees interments, memorial requests and its upkeep.

### **Leintwardine Life**

Council financially supports the publication of the local Parish Magazine, Leintwardine Life. There is an editorial team that collates and oversees the publication but all costs are met by the Parish Council.

### **Open Spaces**

Council is responsible for the management and monitoring of various open spaces in the village.

### **Leintwardine Village Hall and Community Centre**

This is managed by the Management Committee but the library function is funded mainly by the Parish Council.

### **Personnel**

Council employs a part time Clerk to the Council who is responsible for the daily administration of the Council, monitoring its finances and servicing its monthly meetings.

### **Herefordshire Council Standards Committee**

Herefordshire Council is responsible for ensuring that the Members Code of Conduct is properly observed and that all Councillors at both Unitary and Parish/Town level behave in a fashion conducive with their office.

The Standards Committee is responsible for promoting and maintaining high standards of conduct within the Council, monitoring and advising on the Code of Conduct, and considering complaints when a Unitary or Parish/Town Councillor or a co-opted member may have breached the Members' Code of Conduct.

## USEFUL TELEPHONE NUMBERS

**The main contact number for Leintwardine Group Parish Council is**

Tel: 01547 529025 (Clerk to the Council)  
Mob: 07772 657446 (Clerk to the Council)

Clerk to the Council's email: [leintwardinegpc@gmail.com](mailto:leintwardinegpc@gmail.com)

A list of Councillor contacts is available on the Council's web portal:

[http://smallercounciltransparencyportal.uk/cgi-bin/councilindex.pl?council=Leintwardine\\_Group\\_Parish\\_Council](http://smallercounciltransparencyportal.uk/cgi-bin/councilindex.pl?council=Leintwardine_Group_Parish_Council)

## Travelling and Subsistence Allowance

Members are entitled to receive payment of travelling and subsistence allowance where expenditure has been necessarily incurred on travelling inside or outside the UK or on subsistence for the purposes of performing a duty which is included in the Councillors' Scheme of Allowance or for which authority has been given for attendance.

If you are able to travel by train and your journey is in connection with an approved duty you can apply to have a rail ticket. Please contact the Clerk to the Council, Paul Russell, email [leintwardinegpc@gmail.com](mailto:leintwardinegpc@gmail.com) or telephone 07772 657446 who will make the necessary arrangements.

### *Submitting a Claim*

- All claims for travelling and subsistence allowances should be submitted to the Clerk to the Council for verification as soon as possible. Once verified they will then be processed at the Council meeting held on the first Thursday of the month. All claims must be received a minimum of seven days prior to the relevant Council meeting.
- When submitting your claim please make sure that
  - It is made within two months of the date of the duty-taking place;
  - Appropriate receipts are attached;
  - A claim form is completed fully, including date and place of duty;
  - You include supporting information for events that you are claiming for.

**If you do not provide supporting information or receipts this may lead to delay or refusal of certain claims.**

The Councillors' claim forms are available from the Clerk to the Council.

### Mileage Allowance:

Type of Vehicle	Rate per mile
Car or van	45p for the first 10,000 miles 25p after that

Motor cycle	24p (all miles)
Cycle	20p (all miles)

### Note to Members on the Taxation of Allowances

**DISCLAIMER:** This note is intended to give general guidance on any tax relief available and should not be relied on for tax planning purposes. You **MUST** consult either your tax advisor or your Tax Inspector or go to the website <http://www.gov.uk>

Councillors may claim travel and subsistence payments for approved duties, which are not subject to tax and national insurance as they are for the recovery of costs incurred.

Certain items of expenditure may also be incurred in their capacity as councillors other than in connection with approved duties. A deduction for tax purposes may be claimed by Members for such expenses provided they are incurred wholly and exclusively and necessarily in the performance of their duties as councillors and are met from their taxable allowances.

No deduction can be given

- where reimbursement has been or could be claimed from the local authority
- where a councillor could use services provided by the local authority, for example, postage, stationery, but incurs expenses because he/she chooses not to do so
- where expenses are incurred for political purposes, for example electioneering
- for an amount in excess of the total taxable allowances received in respect of the councillor's duties
- where a councillor receives a non-taxable allowance (financial loss allowance).

### Categories of expenditure

#### Travel

Councillors may incur expenses on necessary travelling in the performance of their duties as a councillor for which they do not receive an allowance from the local authority (because the authority does not regard that particular travel as part of the councillor's "authorised duties"). Records must be kept of journeys and approved methods of working out the amount to claim used. You are advised to speak either to your tax advisor or HM Revenues and Customs.

#### Postage and stationery

The amount of claims should be limited to the actual cost incurred.

When you are in the Council Meeting Room please have regard to the advice below:

### **FIRE PROCEDURE AND INSTRUCTIONS**

In the presence of **FIRE**, panic and the urge to get away are natural reactions. Information about the action to take, and practice in that action, are essential to ensure the optimum response in the event of a fire.

**Practice Fire Drills** should take place at regular intervals in appropriate locations, they should be logged and the time taken to evacuate recorded.

Copies of Notices giving simple guidance on what to do in the event of **FIRE** should be displayed in all workplaces and premises where persons could be at risk from fire.

### **ACTION ON HEARING THE ALARM**

- (a) **EVACUATE THE BUILDING** by the nearest available exit, ensuring all Persons under your control leave with you
- (b) **DO NOT** collect personal belongings (eg: coats and bags)
- (c) **DO NOT** run or panic – there is no need. Move swiftly but calmly.
- (d) **CLOSE THE DOOR** if you are the last person to leave a room.
- (e) **PROCEED** to your Designated Assembly Point
- (f) **DO NOT RE-ENTER** or allow other persons to enter the building until told to do so by a person in authority.

### **IF YOU SHOULD DISCOVER A FIRE**

- (a) **OPERATE THE ALARM** from the nearest call point.
- (b) **ENSURE ALL PERSONS** under your control **EVACUATE** the building.
- (c) **IF AND ONLY IF** you judge the use of a nearby **Extinguisher** by you likely to be effective, **USE IT : DO NOT TAKE PERSONAL RISKS**

If it is not safe to use an extinguisher, **LEAVE IMMEDIATELY** following the procedure set out above.

- (d) **REPORT** the whereabouts of the **FIRE** to the person in charge of your **ASSEMBLY POINT**.

## Support to Councillors

### Members' Support

Leintwardine Group Parish Council provides limited support to its Members as it does not have a permanent premises.

You can request various publications and copies of Agendas and Minutes for current and previous meetings from the Clerk to the Council.

Photocopying facilities are not available for Councillors but you may claim the cost of either printing or photocopy items that are relevant to Council business. Please retain receipts.

If you have any problems please contact the Clerk to the Council.

**Leominster Town Council**

**Code of Conduct And Disclosure Of Interest**

**THE CODE OF CONDUCT  
FOR  
MEMBERS AND CO-OPTED MEMBERS**

**The Rules for Registration of Interests  
and Conflicts of Interest**

**Approved by Leintwardine Group Parish Council**

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# PART 1

## The Code of Conduct for Members and Co-Opted Members of the Council

*In the event that this code is adopted by a parish or town council within the County of Herefordshire, any reference in this code to "Monitoring Officer" shall be construed as referring to the Monitoring Officer of Herefordshire Council. Reference in this code to any other officer shall be construed as relating to the officer holding equivalent responsibilities in the parish or town council.*

*Prepared pursuant to Chapter 7 of the Localism Act 2011*

### **I. Purpose of the Code**

1. The purpose of this Code of Conduct is to assist Members (including co-opted Members) in the discharge of their obligations to the Council (referred to as "the Authority"), their local communities and the public at large by:
  - (a) setting out the standards of conduct that are expected of Members and co-opted Members of the Authority when they are acting in that capacity, and in so doing
  - (b) providing the openness and accountability necessary to reinforce public confidence in the way in which Members perform those activities.

### **II. Scope of the Code**

2. The Code applies to Members in all aspects of their activities as a Member, including when acting on Authority business, Ward business or when otherwise purporting to act as a Member. It does not seek to regulate what Members do in their purely private and personal lives.
3. The obligations set out in this Code are complementary to those which apply to all Members by virtue of the procedural and other rules of the Authority and the rulings of the Chairman of the Council.
4. The obligations set out in this Code are also complementary to, and include, those obligations which apply to Members falling within the scope of related Codes and Protocols of their Authority, for example:
  - (a) use of Council resources by Members;
  - (b) Member/officer relations code;
  - (c) code on gifts and; and
  - (d) the planning Code

### **III. Public Duties of Members**

5. Members have a duty to uphold the law, including the general law against discrimination and the requirements of the Localism Act, and to act on all occasions in accordance with the public trust placed in them.
6. Members have an overriding duty to act in the interests of their Authority's area as a whole, but also have a special duty to represent the views of the residents and communities of their ward.

#### **IV. General Principles of Conduct**

7. In carrying out their duties in exercising the functions of the Authority or otherwise acting as a member or co-opted member of the Authority, members will be expected to observe the following general principles of conduct identified by the Committee on Standards in Public Life in its First Report as applying to holders of public office. These principles will be taken into consideration when any allegation is received of breaches of the provisions of the Code.

##### *Selflessness*

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

##### *Integrity*

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

##### *Objectivity*

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

##### *Accountability*

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

##### *Openness*

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

*Honesty*

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

*Leadership*

Holders of public office should promote and support these principles by leadership and example.

**V. Expectations of Conduct**

8. Members shall base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.
9. Members shall at all times ensure that their use of expenses, allowances, facilities and services provided from the public purse is strictly in accordance with the rules laid down on these matters, and that they observe any limits placed by the Authority on the use of such expenses, allowances, facilities and services.
10. Members shall at all times conduct themselves in a manner which will tend to maintain and strengthen the public's trust and confidence in the integrity of the Authority and never undertake any action which would bring the Authority, or its Members or officers generally, into disrepute.

**VI. Rules of Conduct**

11. Members shall in particular observe the following rules when acting as a Member or co-opted Member of the Authority and Members are informed that you:
  - (a) **Do** treat others with respect and courtesy.
  - (b) **Do not** do anything which may cause the Authority to breach any of its equality duties (in particular as set out in the Equality Act 2010);
  - (c) **Do not** bully any person;
  - (d) **Do not** intimidate or attempt to intimidate any person who is or is likely to be:
    - (i) a complainant,
    - (ii) a witness, or
    - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her Authority's code of conduct; or

- (e) **Do not** anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Authority.
  - (f) **Do not** use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
  - (g) **Do** be aware of the requirements of the Bribery Act 2010 and that offences under the Act include the situation where a Member requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, any function of a public nature, any activity connected with the Authority or any activity to be performed by or on behalf of the Authority or others should be performed improperly.
  - (h) **Do not** disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
    - (i) you have the consent of a person authorised to give it;
    - (ii) you are required by law to do so;
    - (iii) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
    - (iv) the disclosure is—
      - reasonable and in the public interest; and
      - made in good faith and in compliance with the reasonable requirements of the Authority.
  - (i) **Do not** prevent another person from gaining access to information to which that person is entitled by law.
  - (j) **Do not** conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
12. Members shall observe the following rules when using the resources of the Authority, or authorising the use of those resources by others, and Members are informed that you:
- (a) **Do** act in accordance with the Authority's reasonable requirements including the requirements of the Authority's ITC policy and any other policies listed at in the Authority's Constitution, Standing Orders, Terms of Reference, Codes and Guidance, which you are deemed to have read ;
  - (b) **Do** make sure that such resources are not used improperly for political purposes (including party political purposes); and

- (c) **Do** have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
  - (d) **Do not** improperly use knowledge gained solely as a result of your role as a member for the advancement of your own interests.
13. Members shall observe the following rules when making decisions on behalf of or as part of the Authority, and Members are informed that you:
- (a) **Do** have regard to any relevant advice provided to you by the Council's chief financial officer and Monitoring Officer where such advice is offered pursuant to his or her statutory duties.
  - (b) **Do** give reasons for the decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the authority.

#### **VII. Registration and Declaration of Interests**

14. Members shall fulfil conscientiously the requirements of the Authority in respect of the registration of interests in the Register of Members' Interests and, where it is required or appropriate to do so, shall always draw attention to any relevant interest in any proceeding of the Authority or its Committees, or in any communications with the Authority, its Members or officers as required in Part 2.

#### **VIII. Duties in respect of the Authority's Standards Panel, Audit and Governance Committee and the Monitoring Officer**

15. The application and guidance on the application of this Code shall be a matter for the Authority and for the Authority's Standards Panel, Audit and Governance Committee and, as appropriate, the Monitoring Officer, acting in accordance with their terms of reference.
16. Members shall co-operate, at all stages, with any investigation into their conduct by or under the authority of those persons and shall not seek to intimidate or attempt to intimidate any person who is or is likely to be a complainant, a witness or involved in the administration of any investigation or proceedings in relation to an allegation that a member has failed to comply with his or her authority's code of conduct.
17. No Member shall lobby a member of the Authority's Standards Panel or Audit and Governance Committee in a manner calculated or intended to influence their consideration of a complaint of a breach of this Code otherwise than in accordance with the arrangements laid down by the Authority.

## Part 2

### Registration, Disclosure and Duties on Interests held by Members and Co-Opted Members of the Council

#### I. Registration of Interests

1. **Do** fulfil the requirements of the law and the Authority in registering your interests in the Register of Members' Interests. These are explained on the following pages.
2. **Do** draw attention to any relevant interest, , where it is required or appropriate to do so, in any proceeding of the Authority or its Committees with which you are involved or in any communications with any colleague, officer or outside body in your role as a member
3. **Do** approach the Authority's Monitoring Officer if you feel that your interest should be treated as sensitive because it could lead to you, or a person connected with you, being subject to violence or intimidation

#### II. Disclosable Pecuniary Interests

4. The following table indicates those interests which members should declare as "disclosable Pecuniary Interests", as outlined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (Statutory Instrument 2012 Number 1464):

Interest	Description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(1).

Interest	Description
Contracts	Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to M's knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest.
Securities	Any beneficial interest in securities of a body where— (a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*[For this purpose –*

*“the Act” means the Localism Act 2011;*

*“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;*

*“director” includes a member of the committee of management of an industrial and provident society;*

*“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;*

*“M” means a member of a relevant authority;*

*“member” includes a co-opted member;*

*“relevant authority” means the authority of which M is a member;*

*“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of*

- *section 30(1) – “A member or co-opted member of a relevant authority must, before the end of 28 days beginning with the day on which the person becomes a member or co-opted member of the authority, notify the authority’s monitoring officer of any disclosable pecuniary interests which the person has at the time when the notification is given.”;*
- *or 31(7) – “If the interest is not entered in the authority’s register and is not the subject of a pending notification, the member must notify the authority’s monitoring officer of the interest before the end of 28 days beginning with the date when the member becomes aware that the condition in subsection (6)(b) (which states “the member has a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, by the member in the course of discharging that function”) is met in relation to the matter”,*

*as the case may be, of the Act;*

*“relevant person” means M or any other person referred to in section 30(3)(b) of the Act, namely:*

- *M’s spouse or civil partner,*
- *a person with whom M is living as husband and wife, or*
- *a person with whom M is living as if they were civil partners,*
- *and M is aware that that other person has the interest;*

*“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.]*

5. In relation to Disclosable Pecuniary Interests, do ensure that you:
  - (a) comply with the statutory requirements to register, disclose and withdraw from participating in respect of any matter in which you

have a disclosable pecuniary interest.

- (b) ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of your disclosable pecuniary interests.
- (c) make verbal declaration of the existence and nature of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent.
- (d) "Meeting" means any meeting organised by or on behalf of the Authority, including:
  - (i) any meeting of the Council, or a Committee or Sub-Committee of Council
  - (ii) any meeting of the Cabinet and any Committee of the Cabinet
  - (iii) in taking a decision as a Ward Councillor or as a Member of the Cabinet
  - (iv) at any briefing by Officers; and
  - (v) at any site visit to do with business of the Authority.

6. Do ensure, where you

are present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority; and

are or become aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting,

that you **leave the room and**

- (a) **do not** participate, or participate further, in any discussion of the matter at the meeting; and
- (b) **do not** participate in any vote, or further vote, taken on the matter at the meeting

7. Do ensure, where you

are to discharge a function of the authority acting alone (this is applicable to Herefordshire Council Members only), and

are or become aware that you have a disclosable pecuniary interest in any matter to be dealt with, or being dealt with, in the course of

discharging that function

that you

(a) **do not** take any steps, or any further steps, in relation to the matter (except for the purpose of enabling the matter to be dealt with otherwise than by the member).

8. **Do** make a written request made to the proper officer of the authority if you consider it appropriate that the Authority grant a dispensation relieving you from either or both of the restrictions in paragraph 6.

9. **Do** be aware that, in respect of disclosable pecuniary interests, failing to act as required by the Localism Act (as outlined here) is a criminal offence.

### **III. Other Interests**

10. In addition to the requirements set out above if you attend a meeting at which any item of business is to be considered and you are aware that you have a “non-disclosable pecuniary interest” or a “non-pecuniary interest” in that item, you must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

11. You have a “non-disclosable pecuniary interest or non-pecuniary interest” in an item of business of your Authority where:

(a) A decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the Ward or electoral area for which you have been elected or otherwise of the Authority’s administrative area, or

(b) It relates to or is likely to affect any of the interests listed in this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association and that interest is not a disclosable pecuniary interest

12. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest listed in Paragraph 4), you must disclose the nature of the interest and may not vote on the matter. You may speak on the matter only if members of the public are also allowed to speak at the meeting. If it is a “sensitive interest”, you shall declare the interest, but not the nature of the interest.

**IV. Gifts and Hospitality**

13. As a Member you must, within 28 days of being offered or receiving any gift or hospitality, notify the Monitoring Officer in writing.
14. The Monitoring Officer will place your notification on a public register of gifts and hospitality.
15. This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the Authority for this purpose.

**V. General**

16. **Do** act in accordance with the Authority's standing orders (Procedure Rules) where you
  - (a) are present at a meeting of the authority or of any committee, sub-committee, joint committee or joint sub-committee of the authority; and
  - (b) are or become aware that you have a disclosable pecuniary interest in any matter to be considered, or being considered, at the meeting,
17. **Do** base your conduct when acting as a Member on a consideration of the public interest, avoiding conflict between your personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest.

## COMPLAINTS PROCEDURE

- 1 This complaints procedure is intended to ensure that complaints by members of the public about the Parish Council's actions, or lack of action, or standard of service are dealt with promptly and effectively. The object of the procedure is to put things right when they have gone wrong and ensure that mistakes do not recur in the future.
- 2 This procedure does not apply to:
  - Complaints about the substance of policy decisions made by the Council (although members of the public may make comments or ask questions during the public participation session during every Council and committee meeting);
  - Complaints about the conduct of an individual councillor, which should be made to the Monitoring Officer at Herefordshire Council
  - Complaints by an employee of the Council about the Council's actions as an employer, which should be dealt with under the Council's grievance procedure.
- 3 Complaints about the Council's administration and procedures should be made initially to the Clerk to the Council, and will be dealt with initially by the Clerk. If the complainant is unwilling to approach the Clerk a complaint may be made to the Chair, who will refer the complaint either to the Clerk or to Full Council. Complaints may be made in writing, by email, by telephone or in person. A written record of the complaint must be submitted.
- 4 Complaints which cannot be dealt with immediately to the satisfaction of the complainant will be acknowledged in writing within 5 working days by either letter or email.
- 5 Complaints should be dealt with promptly. In general complaints will be dealt with within 20 working days of receipt, although this time limit may be extended with the agreement of the complainant, or where the Clerk feels it necessary to take legal or other advice.
- 6 Where it appears that the complaint includes an allegation that a criminal offence has been committed the Clerk may deal with the complaint by referring it to the police.
- 7 If a complainant is dissatisfied with the Clerk's decision on a complaint, or if the complaint is not dealt with to the satisfaction of the complainant within the time limit set out in the previous paragraph, the complainant may ask for the matter to be referred to Full Council.
- 8 Where a complaint is referred to Full Council the complainant will be informed of the date, time and place of the meeting. At least ten working days' notice will be given. The complainant will be invited to

attend the meeting and also to submit any documents which s/he wishes to refer to. Any such documents must be received by the Clerk seven working days before the meeting to enable them to be circulated to members. The Clerk will provide the complainant with any documents that s/he wishes to refer to within the same timescale. The Clerk will also inform the complainant whether it is likely that the meeting will be open to the press and public or whether the press and public are likely to be excluded (for example because the personal affairs of an individual may be discussed).

- 9 At the Council meeting the Chair should introduce everyone and explain the procedure. The complainant may outline the grounds of complaint and may then be questioned, first by the Clerk and then by Council members. The Clerk may outline the Council's position and may be questioned, first by the complainant and then by Council members. The Clerk and then the complainant may give a final summary of their position.
- 10 The complainant and the Clerk will then leave the room to allow the Council to reach a decision on the complaint. They will be called back when the Council has reached a decision.
- 11 If the Council considers that a complaint alleges misconduct by an employee the decision on the complaint may be deferred until the allegation has been dealt with under the Council's disciplinary procedure.
- 12 Council decisions on a complaint should normally be announced in public. The complainant should be notified of the decision in writing within seven working days, and notified also of what action will be taken.
- 13 Where a complaint is upheld the Clerk should report to a subsequent meeting of full Council what action has been taken to ensure that any mistake does not recur.

### **Members Post**

All relevant Council documents and all Council agendas are emailed to Members email addresses. Agendas are normally sent seven days prior to the relevant meeting taking place although legislation states that there should be 3 clear days notice not including date of publication, date of receipt and Sundays. Therefore all agendas will be emailed on Thursday at the latest for a meeting the following Thursday.

In order for you to receive electronic copies of any agendas and other relevant Council documentation please provide the office with a valid email address. All Councillors are expected to have access to an valid email address.

Standing Orders provide Council with the option to send out electronic copies of all agendas only. Council has resolved that all relevant council documentation and agendas will be sent by email. This helps save postage costs. A hard copy of each agenda is available on request.

It is important that you notify the Town Clerk if you have a change of address so that your records as well as other appropriate officers are notified.

### **Learning and Development**

Enclosed is a key skills audit so that we can identify any areas of training that you would specifically like to undertake.

If at any time you feel that you need with particular subjects/issues or if you would like to undertake a course to study for a particular qualification relating to the role of a Councillor then please contact the Clerk to the Council.

## **ROLE OF THE CHAIR OF THE COUNCIL**

### **1. ROLE OF THE CHAIR**

This is defined as:

- (i) Chairman of the Parish Council
- (ii) Representative of Parish on civic matters
- (iii) Spokesman for the Council and the Parish on civic matters

In carrying out these roles, the Chair must be mindful of the dignity of the Office and ensure due protocol and precedence is applied.

### **2. THE ANNUAL GENERAL MEETING LEGAL PROCEDURES**

- 2.1 The Chair shall be elected at the Annual Council Meeting in accordance with the Local Government Act 1972 Section 4 (1) and 23 (1).
- 2.2 The Chair will assume the role of Chair of the Parish Council
- 2.3 Additional useful information
  - The procedure for conducting the Annual Meeting is set out in the Standing Orders.
  - It would be useful if the Chair could prepare a short biography for the Clerk to the Council. This will be used where appropriate mainly on the Parish Council website.

### **3. LEGAL ROLE AND DUTY OF THE CHAIR**

- 3.1 The main duty of the Chair is to preside at meetings of the Parish Council.

When chairing meetings the Chair should avoid getting involved in debate on highly contentious issues. An impartial chair should use their office where appropriate and when necessary to clarify the position of *both* side in the debate or make compromise or consensus proposals. In some circumstances it may be appropriate for the chairman to temporarily vacate the chair if they wish to participate in the debate.
- 3.2 Meetings of the Parish Council should take precedence over outside invitations received in order to ensure that meetings remain legally quorate.
- 3.3 The Chair must not:
  - Make decisions or act alone without prior resolution from the Council;
  - Speak out on private or confidential issues;

- Conduct a press conference or press release without consulting the Media Policy.

3.4 The Chair, as are all Councillors, is bound by the Council's Code of Conduct.

#### **4. CHAIR'S ALLOWANCE**

4.1 The Chair, as any other Councillor, is entitled to claim travel expenses for any event attended. Travelling expenses cannot be claimed for journeys inside the town boundaries and therefore precludes any meeting of the Town Council. Car parking charges will also be refunded.

4.2 The Chair will be given an allowance of up to £100 per annum to cover various costs incurred including telephone calls.