FELINFACH COMMUNITY COUNCIL

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CONSTITUTION

Reviewed and adopted at a Council meeting held on Tuesday,

INTRODUCTION

This constitution sets out how the council operates, how decisions are made and the procedures which are followed to ensure that decision making is accountable, open and transparent.

At the heart of this document is the council’s standing orders and financial regulations. The constitution sets out:

• The decision making powers of the council and its committees/sub-committees.

• The rules and procedures to be followed by the council and its committees/sub-committees when transacting business.

• Standing orders and financial regulations.

• The role and duties of the Chairman of Council.

• The selection process and role of the Leader of Council.

• Composition of committees.

• Terms of reference of committees

• Members’ Code of Conduct – an overview.

• Code of Conduct for Employees.

• Member/Officer Protocol.

BACKGROUND PROFILE AND STATUS Felinfach Community Council is a community council. The council came into being on 1 April, 1974, following local government re-organisation and as a consequence of the Local Government Act 1972.

As a community council this tier of local government is closest to the people. In Wales subordinate to the Senedd Cymru (Welsh Parliament), there are only two tiers of local government: the town or community council sector and the unitary authorities (i.e. the county or county borough councils).

The council’s geographic area includes Llanefalle ,Llanfilo & Talachddu Its boundaries extend from Llaneglwys in the west to Tredomen in the east, The council’s administrative area is made up of two villages Felinfach & Llanfilo, and the community of Llandefalle.

The council consists of 9 elected members representing three electoral wards comprising of Llandefalle , Talachddu & Llanfilo .The members individually contribute to the work of the whole council by: -

* suggesting ideas;
* engaging in constructive debate;
* responding to the needs and views of the community;
* representing their residents, behaving in an ethical way and being open about interests;
* commenting on proposals to ensure the best outcome; and - voting – to enable the council to make decisions.

Members are elected to office and normally serve on the council for a term of five years. The council is a body corporate with perpetual succession. As a body corporate the council is a person and is distinct from its members (either as individuals or collectively) for the time being. Its lawful acts, assets and liabilities are its own and not those of its members. The council remains in uninterrupted existence from the moment of its creation, even if all its members vacate office, or if its membership falls so low that it is unable to act for want of a quorum.

Law determines what the council must do (its duties), what it can choose to do (its powers) and what it cannot do. Law empowers the council to act; it underpins its procedures and finances and governs relationships with other local bodies, groups and organisations that the council chooses to work with in the community.

The council can undertake an activity only when a specific Act of Parliament, or a Measure or Act of the Senedd Cymru (Welsh Parliament) allows it. If the council acts without a legal power or if it uses the wrong power to act, then the council could be charged with acting beyond its powers. The most useful power open to the council is the General Power of Competence. **Felinfach Community Council does not operate under the power of an eligible community council**, If the council elects not to resolve that it as an eligible community council then it cannot use the General Power of Competence, instead it must look for specific powers confirming that it can act. If a specific power can’t be found then the council does have a limited power to incur expenditure which in its opinion is in the interest of,and will bring direct benefit to its area or any part of it or all or some of its inhabitants. However, the use of this power is restricted to the spending limits set out under the Local Government Act 1972, Section 137, and the benefit obtained must be commensurate with (in proportion to) the expenditure incurred. The council cannot use the Section 137 power if there is a specific power that applies to the function in question or area of spending, or if it resolves itself eligible to use the General Power of Competence.

DECISION MAKING AND THE DELEGATION OF POWERS

Whenever the council conducts business it must ensure that the decisions it takes are both lawful and reasonable. It cannot use unlawful practices and procedures to make a decision nor should it act beyond its powers.

Under specific powers contained in the Local Government Act 1972, Section 101, the council may arrange for the discharge of any of its functions by a committee, a sub-committee, an officer of the council or by any other local authority

No business of the council discharges its functions to any sub-committee other than the Play Park Committee who are responsible for its own Finance.

. Individual members are not able to make a decision on behalf of the council – not even the Leader or Chairman of Council as this is unlawful.

CONDUCTING BUSINESS

The council conducts its business by the Clerk convening formal council and committee meetings to which members are summoned to attend. These meetings are supported by formal agendas compiled, authorised and authenticated by the Clerk which specify the business to be transacted.

The council has appointed standing committees (committees which meet on an on-going basis) but do no not have powers to make decisions on the council’s behalf. However, as the committee’s have no delegated power to make a decision on behalf of the council when exercising specific functional responsibilities, it will instead make ‘recommendations’ to the council as opposed to passing ‘resolutions’. The council’s standing committees meets as required.

Finance and General Purposes Committee – The first Friday in December

Planning and Liaison Committee – As and when required

MEETINGS AND PROCEDURE OF THE COUNCIL GENERAL

1.1 The council by law must meet annually. In an ordinary election year of community councillors, the annual meeting must take place on, or within fourteen days after the day on which the councillors elected at that election take office. In any other year it may be held on any day in May as the council may determine.

1.2 In addition to the annual meeting, the council may hold such number of other meetings (known as ordinary meetings) as deemed necessary for the transaction of its business. Such meetings may be held by virtue of council standing orders,or may be specially convened. Council meetings are held at 6.30 pm on the second Tuesday of every month, a schedule of meeting is produced t the beginning of the financial year.

1.3 An ordinary meeting is called by the Clerk in pursuance of statutory rules or under standing orders and includes a meeting convened by the individual to elect the Chairman of Council when a casual vacancy has arisen in the chair.

1.4 The council must make and publish arrangements for its meetings to ensure they can take place in a manner which enables people who are not in the same place to meet. Under these arrangements, meetings must be capable of being held remotely (multilocation) but meetings are not required to be held in a particular way. Whether they are held remotely or entirely face to face is a matter for the council.

1.5 The council is required by law to ensure that meeting participants (councillors, members of the public and press) are able to join meetings remotely – even if physical, face to face meetings are the preferred mode. The council is not permitted to resolve that all of its meetings will be held entirely on a physical face to face basis. Details of the council’s meeting arrangements are published on its website and public notice board.

NOTICE OF MEETINGS

1.6 At least three clear days (not including the days of issue and meeting) before a council meeting takes place, or if the meeting is convened at shorter notice at the time it is convened, a notice of the time and place of the meeting will be displayed on the council’s website and public notice board. However, the chairman of a committee or sub-committee can call a meeting at 24 hours’ notice if a matter to be discussed is considered to be urgent.

1.7 In addition to the public notice, the Clerk (as proper officer) will authorise and authenticate and serve a summons on every member to attend, specifying the business to be transacted (agenda).

1.8 - The summons must be sent to members electronically. However, if a member wishes to receive the summons as a written paper copy rather than electronically, the member must give notice in writing to the Clerk and specify the postal address to which the summons should be left at or sent by post. The business specified in it (the agenda) will be presented in such a way so the member who receives it can identify the matters to be discussed. The council cannot lawfully decide any matter which is not specified in the summons.

**DECISIONS**

1.9 - Every item of business included on a meeting agenda requiring a decision must be decided by a majority of those members present and voting thereon. In the case of an equality of votes the Chairman has a casting vote, as well as an original vote.

MINUTES AND MEETING NOTES

1.10 - The council has a duty by law to keep a record of its meetings otherwise known as minutes of its proceedings. Minutes are formal records of decisions taken and are not meant to be a verbatim record of a whole meeting. Some background context of the decision taken may be necessary. Minutes must be signed/authenticated at the same or the next following meeting by the presiding Chairman. The council’s minutes are recorded on loose leaves and are consecutively numbered.

1.11 - The minutes are signed/authenticated as to their accuracy. It is not permitted to reopen discussion on a decision recorded in the minutes (e.g. under matters arising) unless there is a specific item on the agenda relating to that decision.

1.12 - To expedite the work of its committees/sub-committees the council receives and confirms the accuracy of the minutes generated from those bodies on a cyclical basis at its next following monthly meeting.

1.13 - Not later than seven working days of a council or committee/sub-committee meeting, the council must publish electronically a note setting out: the names of the members who attended the meeting, and any apologies for absence; any declarations of interest; and any decisions taken at the meeting, including the outcome of any votes. This requirement does not apply to any council business taken in private or where disclosure would be detrimental to acting on those decisions.

ADMISSION TO MEETINGS

1.14 - The Public Bodies (Admission to Meetings) Act 1960 Section 1, extended by the Local Government Act 1972 Section 100, provides that meetings of the council (including committees/sub-committees) shall be open to the press and public. Provision is made for excluding the public and press by resolution when confidential business is being considered (or for other special reasons stated in the resolution) and publicity would be prejudicial to the public interest. As a general rule of thumb some items, such as staff details, tendering discussions, contractual negotiations, legal proceedings and sensitive disputes should not be discussed in public.

PUBLIC PARTICIPATION

1.15 - The council is required to facilitate public participation at its full council meetings but this requirement does not apply to its committee and subcommittee meetings. Public participation does not mean that members of the public can take part in debate, but they must be given a reasonable opportunity at the beginning of the meeting to ask questions or make representations about the business to be discussed or transacted at the meeting and which is open for public discussion. Confidential business is excluded. Council officers and invited guests may speak during meetings.

FELINFACH COMMUNITY COUNCIL STANDING ORDERS

Section 2

SECTION 3

ROLE AND DUTIES OF CHAIRMAN OF COUNCIL

The word ‘chairman’ means the person actually presiding at a meeting and ‘council’ includes ‘committees and sub-committees’, where any function has been delegated. The council’s instructions are conveyed by resolutions and it is the purpose of the council’s proceedings to reach, without unreasonable delay, an intelligible and lawful decision for the right reasons. The whole duty of a chairman is to ensure that this purpose is achieved and to this end he must:

1. Protect the council against outside interference;
2. Ensure that everything to be discussed is lawful;
3. Ensure that the council is invited to deal with clear issues;
4. Ensure that as far as possible information is complete;
5. Ensure that opinions expressed are relevant to the matter in hand;
6. Ensure that the business is transacted with reasonable speed;
7. Ensure as far as possible that proceedings are friendly and free from personalities;
8. Co-operate with the officers and councillor’s;
9. Deciding all matters of protocol, decorum, order, competency and relevancy.
10. Determining all matters of procedure for which no provision is made within Standing Orders, in reaching which determination he may be advised by the proper officer;
11. Deciding priority between two or more members wishing to speak but with deference at all times to be paid to the authority and position of the Leader of the Council. When the Leader indicates a wish to speak, the chairman will invite the incumbent to address the meeting before inviting other members to address the meeting;
12. Ensuring that a fair opportunity is given to all members to express their views on any item of business in accordance with the terms of Standing Orders;
13. Preserving order in the meeting;
14. Ordering the exclusion of any member of the public, in order to prevent or suppress disorderly conduct or other misbehaviour which impedes or is, in his opinion, impeding the business of the meeting;
15. In the event of disorder arising, adjourning the meeting to a time and date he will fix then or later having been advised by the proper officer if appropriate, and in leaving the Chair in such circumstances this will, without further procedure, have the effect of a formal adjournment of the meeting;
16. Signing the minutes of the previous meeting, adjusted in accordance with any amendment approved by the council. Such amendment relating to accuracy only;
17. To preside over questions relating to Standing Orders and in reaching any decisions he may be advised by the proper officer;
18. Ensuring the meeting observes Standing Orders with it being the duty of the proper officer or his authorised representative to call the attention of the chairman to any breach of Standing Orders;
19. The authority of the chairman is limited to matters of procedure and neither increases or decreases his right (in comparison with other members) to discuss the merits of a particular case or item of business. While the Chair gives his authority on matters of procedure, it confers no rights (other than the casting vote) on matters of policy which are not possessed

by other members.

Section 4

COMPOSITION OF COMMITTEES

* 1. - Each member will be allocated two committees based on the following:- Ward

|  |  |  |  |
| --- | --- | --- | --- |
| WARD | PLANNING | FINANCE | PLAY PARK |
| LLANDEFALLE | 1 | 1 | 1 |
| LLANFILO | 1 | 1 | 1 |
| TALACHDDU | 1 | 1 | 1 |

1.2 - The Chairman of Council is eligible to sit on all the above committees as Ward Member and by virtue of post.

Sub-Committees will comprise of a Chairman and Vice-Chairman of Committee,

CYCLE OF MEETINGS

2.1 Committee meetings will be held cyclically as follows:-

Full Committee Meeting - Every second Tuesday of the month.

Sub Committees – Play Park – quarterly

Planning Committee – when required

Finance – every December and when required

**FINANCE AND GENERAL PURPOSES COMMITTEE**

To superintend the finances of the council in accordance with the law and the council’s Standing Orders and Financial Regulations.

To superintend the finances of the council in accordance with the law and the council’s Standing Orders and Financial Regulations.

To ensure the adequate and effective system of internal audit of the council’s, accounting operations. 3.13 To receive reports and correspondence from the internal and external auditors.

To prepare yearly budget for acceptance of full council.

**PLANNING AND LIAISON COMMITTEE**

1. - To consider and respond to the Local Development Plan Framework on matters relating to control and development.

2 - .To consider and respond to the Planning Authority on matters relating to statutory structure and local plans and planning applications.

3. To consider and respond to the relevant body in respect of highway matters.

4. To consider and respond to the relevant body in respect of listed buildings and ancient monuments.

5. To consider and respond to the relevant body in respect of conservation orders and environmental matters.

6. To consider and respond to the relevant body in respect of tree preservation.

7. To consider and respond to the relevant body in respect to street naming and matters of a like kind.

Section 5

**CLERKS GENERAL POWERS**

1.1 - To incur expenditure or take any other step in the day to day operation of council services in accordance with approved budgets of any service area.

1.2 - To take action on behalf of the council in consultation with the Chairman of Council and/or Committee Chairman in any urgent matter which does not allow for prior authorisation to be obtained where:-

1. There is a serious risk of significant cost to the council of loss of income resulting from lack of immediate action;
2. The council’s property or staff or persons in its care or for whom it has a responsibility would otherwise be placed at serious risk of suffering harm/damage.
3. An emergency or disaster involving destruction or danger to life or property occurs or is imminent or there is reasonable grounds for apprehending such an emergency or disaster and such action in calculated to avert, alleviate or eradicate the effects or potential effects of the event.

2 ADMINISTRATION

2.1- To make a major contribution to formulation, development, revision, monitoring and review of the council’s objectives and its strategies for achieving them.

2.2 - To support initiatives of the council through research, analysis and to advise the council accordingly.

2.3 - To make proposals for revision and amendments to council policies and procedures where the Clerk feels these may be beneficial to the area, to the administration of the council and/or to the correct conduct of council business.

2.4 -To be responsible for the safe, secure, convenient and accessible custody of all deeds, plans, records, correspondence and other documents concerning the council.

2.5- To receive and process correspondence and documents on behalf of the council and to deal expeditiously therewith bringing such items to the attention of the council or appropriate committee or Chairman as appropriate. To respond on behalf of the council and as directed to all correspondence. The Clerk shall consult the Chairman of Council or the appropriate Committee Chairman when correspondence is received outside the meeting cycle to agree appropriate action, which if left until the next ordinary cycle of meetings would not be properly considered or determined.

2.6 - Advise the council on the development of the offices of Chairman and Vice Chairman of Council and to advise and assist the incumbents in the performance of their duties. 3.8 To develop the local profile of the council and to establish and maintain constructive relationships with other local authorities, local groups, the press and relevant organisations who share the interests of the council. Furthermore, to represent the council as required at public meetings and other events and to issue statements and press releases concerning the activities or decisions of the council.

**HEALTH AND SAFETY AT WORK**

3.1 To be responsible for all matters in relation to Health and Safety at work as defined in the council’s Health and Safety Policy and Arrangements for Implementation.

**PROPER OFFICER FUNCTIONS**

4.1 - The Clerk to the Council is the Proper Officer of the council and, therefore, is under a statutory duty to carry out all the functions and, in particular, to serve or issue all the notifications required by law of a local authority’s Proper Officer.

4.2 - Proper Officer functions under the Local Government Act 1972 are delegated as follows:-

1. To sign summonses to attend council, committee and sub-committee meetings;
2. To exclude reports or parts of reports from the right of public inspection;
3. To receive and retain deposited documents;
4. To certify documents;
5. To sign any documents on behalf of the council relating to land;
6. To attest the Common Seal of the Council as the officer authorised under the council’s Standing Orders;
7. To sign any contractual documents on behalf of the council relating to any matter subject (as appropriate) to advice about the proposed signing of such document in advance of such signing;
8. To receive Declarations of Acceptance of Office by Felinfach community council Councillors and Co-opted members.
9. The council has made arrangements for the proper administration of its financial affairs and has appointed the Finance Manager as its Responsible Financial Officer (RFO). The RFO has responsibility for the administration of those affairs in accordance with Section 151 of the Local Government Act 1972 and more specifically as prescribed in the council’s financial regulations.

**LEGAL AGREEMENTS AND CONTRACTS**

5.1 - To sign or attest the seal of the council in respect of any contract or legal agreement.

**EXTERNAL LEGAL ADVICE**

6.1- To procure external legal advice and support in relation to any proceedings or matter involving the council or partnership in which the council has an interest where that is considered to be appropriate.

**PLANNING MATTERS**

7.1 - To determine planning applications in the following instances:

1. Where a limited number of planning applications are received prior to the cut off point for despatch of the Planning and Liaison Committee agenda.
2. Delegated power is granted on the understanding that at all times, the Chairman of Committee and the local ward members serving on the Planning and Liaison Committee (to which the planning applications relate) are consulted prior to determination of the application.
3. As a general rule of thumb, controversial or high profile planning applications promoting large scale or major development proposals are excluded from the scheme of delegation. For the avoidance of doubt large scale or major developments exclude standard planning applications covering proposals such as house extensions, porches, conservatories, garages and erection of signs.
4. The Clerk is authorised to exercise discretion in determining when to use delegated powers based on the number and type of planning applications received at any given time, in order to further determine whether a committee meeting ought to be convened, provided always that there are no other items of correspondence or matters requiring urgent committee approval or attention and which form part of the committee agenda.
5. In instances where planning applications have been determined by the Clerk an information report is to be prepared and presented to the next ordinary committee meeting, providing details of the applications in order for there to be a formal record in the council minutes.
6. To also determine planning applications in the following instances:
7. All telecommunication planning applications given the strict 21 day consultation deadline imposed by the Planning Authority, when responding to such applications.
8. The determination of planning correspondence associated with the submission of planning application amendments, where such applications fall outside the normal cycle of committee meetings. Furthermore, to retrospectively report such applications or matters to committee as part of the information reporting procedure set out.

Section 6

THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) ORDER 2008 AS AMENDED BY THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) (AMENDMENT) ORDER 2016 THE MODEL CODE OF CONDUCT – AN OVERVIEW GENERAL

1. The code of conduct applies to all elected members and co-opted members with voting rights of the following ‘relevant authorities’: county/county borough councils, community and town councils, fire and rescue authorities and national park authorities in Wales.

2. Members must observe the code whenever they:

• conduct the business, or are present at a meeting, of their authority.

• act, claim to act, or give the impression they are acting in the role of a member;

• act, claim to act, or give the impression they are acting as a representative of their authority.

3. The following conduct is also covered by the code when a member is acting in other than an official capacity (i.e. conduct in private life):

• conduct that might be regarded as bringing the office of member of their authority into disrepute;

• using or attempting to use a member’s position improperly to secure for any person an advantage or to create or avoid a disadvantage;

• improper use of the authority’s resources.

4. Members who are elected, appointed or nominated by their authority to serve on another relevant authority or other bodies are subject to the code of conduct for that other body. Where such a body does not have a code, members must comply with their authority’s code except where it conflicts with any lawful obligations to which that body may be subject.

5. Members must:

• carry out their duties and responsibilities with due regard to the principle of equality of opportunity for all people;

• show respect and consideration for others

• report conduct by another member or anyone who works for, or on behalf of, their authority which they reasonably believe involves criminal behaviour (this does not include offences capable of punishment by way of a fixed penalty);

• report conduct by another member that they reasonably believe breaches the code of conduct;

• comply with any request of the Public Services Ombudsman for Wales or the authority’s monitoring officer in connection with an investigation conducted under their statutory powers;

• reach decisions on the basis of the merits of the circumstances involved and in the public interest, having regard to the advice of their authority’s officers;

• give reasons for decisions in accordance with statutory requirements and any reasonable requirements imposed by their authority;

• observe the law and their authority’s rules when claiming expenses and allowances;

• avoid gifts and hospitality etc. that might place, or appear to place, a member under an improper obligation.

6. Members must not:

• conduct themselves in a manner which could be regarded as bringing the office of member or their authority into disrepute;

• bully or harass any person;

• compromise or do anything likely to compromise the impartiality of those who work for their authority;

• disclose confidential information or information that should be regarded as being of a confidential nature, without the consent of a person authorised to give it, unless required by law to do so;

• prevent any person from gaining access to information to which they are entitled by law;

• make vexatious, malicious or frivolous complaints against other members or anyone working for, or on behalf of, their authority;

• use, or authorise others to use, their authority’s resources improperly.

PERSONAL INTERESTS

7. The code sets out a number of categories of personal interest including:

• employment or business;

• election and other expenses;

• securities;

• contracts;

• land;

• membership of other bodies where elected, appointed or nominated by the member’s authority;

• membership or positions of general control or management of other bodies, companies, charitable bodies, lobby organisations, trade and professional associations;

• membership or positions of general control or management of private clubs, societies and associations operating within the authority’s area.

8. Members must register the above interests by giving written notification to the authority’s monitoring officer within 28 days of:

• their authority’s code of conduct being adopted or the model code being applied to their authority; or

• the member’s election or appointment to office (if that is later). Any changes to personal interests must be registered within 28 days of the member becoming aware of the change.

9. Members of community councils are not required to register personal interests in advance as above. Members of such councils must disclose the existence and nature of personal interests when they become apparent, as described below.

10. Subject to the agreement of their authority’s monitoring officer, members do not need to include ‘sensitive information’ when registering a personal interest. ‘Sensitive information’ is information whose availability for inspection by the public creates, or is likely to create, a serious risk that the member or a person with whom a member lives may be subjected to violence or intimidation.

DISCLOSURE OF PERSONAL INTERESTS AT MEETINGS ETC

11. Members must in all matters consider whether they have a personal interest that should be disclosed.

12. In addition to the categories of interest described above (paragraph 7), members must regard themselves as having an interest in any business of their authority if:

• the public might reasonably perceive a conflict between the member’s role in taking a decision on behalf of their authority as a whole and the member’s constituency role;

• a decision upon it might reasonably be regarded as affecting the well-being or pecuniary interests of the member, a person with whom the member has a close personal association, employment and business interests etc. of such persons, or other bodies of which such persons hold a position of general control or management, to a greater extent than the majority of other council tax payers and rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision (or of the authority’s area for those authorities without divisions or wards).

13. Where a member has a personal interest in any business of their authority they must:

• when attending a meeting – disclose orally the existence and nature of that interest before or at the commencement of consideration of that business, or when the interest becomes apparent. Where such a disclosure is made for the first time, the member must confirm the disclosure in writing either before or immediately after the close of the meeting;

• when making written representations to a member or officer – include details of the interest in that written communication;

• when making oral representations to a member or officer – disclose orally the interest at the commencement of such representations or when the interest becomes apparent. Such representations and interests must be confirmed in writing within 14 days.

14. Where a member has the agreement of the monitoring officer that information relating to a personal interest is ‘sensitive information’, the member is required to disclose the existence of the interest and that the monitoring officer has agreed that the nature of the interest is sensitive and does not need to be disclosed.

PREJUDICIAL INTERESTS

15. A member with a personal interest in any business of the authority also has a prejudicial interest in that business if ‘the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest’.

16. A member also has a prejudicial interest in any business before an overview or scrutiny committee of their authority where:

• the business relates to a decision or action of the executive, board or another of their authority’s committees; and

• that member was a member of the executive, board or committee and was present when the decision or action was taken.

17. A member is **exempt** from having a prejudicial interest where the business relates to:

• another relevant authority of which they are a member;

• another public authority or body exercising functions of a public nature in which the member holds a position of general control or management;

• a body to which the member is elected, appointed or nominated by their authority;

• the member’s role as a school governor where the member is not appointed or nominated by their authority, unless the business relates particularly to the school of which the member is a governor;

• the member’s role as a member of a local health board where the member is not appointed or nominated by their authority. The above exemptions do not apply where the business of the authority relates to the determination of any approval, consent, licence, permission or registration relating to the above-mentioned authorities or bodies.

18. A member is also **exempt** from having a prejudicial interest where the business relates to:

• housing functions of the authority where the member holds a tenancy or lease and the member does not have rent arrears of more than 2 months (provided that the functions do not relate particularly to that tenancy or lease);

• school meals, transport and travelling expenses where the member is a guardian, parent, grandparent or has parental responsibility under the Children Act 1989 of a child in full time education, unless the business relates particularly to the school which that child attends;

• statutory sick pay where the member is in receipt of, or are entitled to, such pay from their authority;

• various allowances, pensions or payments to members under the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000. 19. Community councillors are also exempt from having a prejudicial interest where the business relates to a grant, loan or other financial assistance made by their community council to community or voluntary

PARTICIPATION IN THE BUSINESS OF THE AUTHORITY

1. A member with a prejudicial interest in any business of their authority must not, unless they have obtained a dispensation from their authority’s standards committee, participate in that business (but see following paragraphs). Such a member must:

• withdraw from the room, chamber or place where a meeting considering the business is being held

• not exercise executive or board functions in relation to that business; • not seek to influence a decision about that business;

• not make written or oral representations in relation to that business.

21. A member with a prejudicial interest may attend a meeting for the purpose of making representations, answering questions or giving evidence, provided the public are also allowed to attend for the same purpose. The member must withdraw from the meeting place immediately after the period for making representations etc. has ended and in any event before further consideration of the business begins.

22. A member with a prejudicial interest is not prevented by the code from attending and participating in a meeting if the member:

• is required to attend an overview or scrutiny committee meeting;

• has a dispensation from the standards committee. The member must state that they are relying on the dispensation and confirm the dispensation in writing before or immediately after the close of the meeting.

REGISTRATION OF GIFTS AND HOSPITALITY

23. A member must, within 28 days, provide written notification to Clerk to the Council

of the receipt and nature of any gift, hospitality, material benefit or advantage up to a maximum of £500

REFERENCE SOURCE Partnership and Ethics team, Welsh Government (formerly Welsh Assembly Government) – April 2008

SECTION 8

CODE OF CONDUCT FOR EMPLOYEES INTRODUCTION

The public is entitled to expect the highest standards of conduct from all employees who work for the council. This code sets out the standards expected from employees. It should be read, where appropriate, in conjunction with the council’s employment policies, other relevant policies and procedures, conditions of service, standing orders, financial regulations and statutory requirements.

Some of the issues covered will affect senior managerial employees more so than other employees but many aspects of the Code are applicable to all the council’s employees.

The golden rule to remember is that you should never do anything as an employee of the council which you could not justify publicly. Your conduct will affect the reputation of the council. It is not enough to avoid actual impropriety. You should at all times avoid any occasion for suspicion and any appearance of improper conduct.

Please read the Code carefully. It is your responsibility to make sure that what you do complies with the standards set down. If in doubt seek advice from your Line Manager.

1 GENERAL PRINCIPLES

The public is entitled to expect the highest standards of conduct from all council employees. Your role is to serve the council by providing advice, implementing policies and delivering services to the local community. In performing your duties you must act with integrity, honesty, impartiality and objectivity.

1. ACCOUNTABILITY

All employees work and serve the whole of the Authority. You are accountable to, and owe a duty to the council. You must act in accordance with the principles set out in this Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.

1. POLITICAL NEUTRALITY

Because employees serve the Authority as a whole, you must serve all councillors equally and not just those of the controlling group. You must ensure that the individual rights of all councillors are respected and that you do not compromise your political neutrality. Employees must follow every lawful expressed policy of the council and must not allow personal or political opinions to interfere with work.

1. RELATIONSHIPS

Employees are responsible to the council through its senior managers. Mutual respect between employees and councillors is essential to good local government; and working relationships should be kept on a professional basis. Close personal familiarity between employees and individual councillors, especially if an employee’s role is to give advice 51 to councillors, can damage the relationship and prove embarrassing to other employees and councillors. It should therefore be avoided. Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient and impartial service delivery to all groups and individuals within that community. It is important that you deal with the public, members and other employees sympathetically, efficiently and without bias. Orders and contracts must be awarded on merit and in accordance with the council’s procedures and no special favour should be shown to businesses run by, for example, friends, partners or relatives. Any employee who places orders, awards contracts or supervises contractors and has previously had or currently has a relationship in a private or domestic capacity with a contractor that you deal with in the course of duty, should declare that relationship to their manager.

1. EQUALITY

All members of the local community, customers and other employees have a right to be treated with fairness and equity irrespective of race, colour, nationality, ethnic or national origin, disability, religion, political persuasion, marital status, sex, sexual orientation or age. All employees should ensure that the council’s equal opportunity policies are complied with in addition to the requirements of the law.

1. STEWARDSHIP

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner and in accordance with financial regulations. You must not utilise property, vehicles or other facilities of the council for personal use unless authorised to do so.

1. INTELLECTUAL PROPERTY

All intellectual property rights (that is, copyright, design rights and the right to patent inventions) relating to anything created or invented by an employee in the course of your duties normally belongs automatically to the council. Employees are not entitled to use, sell or otherwise exploit the rights to any such thing without written permission from the council.

1. CORRUPTION

It is a serious criminal offence for employees corruptly to receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour, or disfavour, to any person in their official capacity.

1. PERSONAL INTERESTS

Whilst your private life is your own concern, you must not allow your private interests to conflict with your public duty. You must not misuse your official position or information acquired in the course of your employment to further your private interests, or the interest of others. In particular, you must comply with:

• the council’s rules and declare to your Line Manager and Technical and General Operations Manager any financial and non-financial interests; and

• the council’s rules and procedures for declaring hospitality or gifts offered to or received by you, from any person or organisation doing or seeking to do business, or otherwise benefiting or seeking to benefit from a relationship with the council. You must not accept benefits from a third party unless authorised to do so. The issue of hospitality and gifts is dealt with in more detail below.

1. HOSPITALITY AND GIFTS

Employees should treat with caution any offer of hospitality. Employees must consider whether the offer of hospitality could put at risk public confidence in the council. In considering whether an offer of hospitality should be accepted, you should bear in mind:

• the possible motive behind the hospitality;

• the scale of the hospitality;

• the likely perception of others if the hospitality is accepted. All offers of hospitality should be disclosed to an appropriate manager and recorded in the register held by the Technical and General Operations Manager. When hospitality has to be declined those making the offer should be courteously but firmly informed of the procedures and standards operating within the council.

Employees should not accept significant personal gifts from contractors and outside suppliers. Insignificant items of token value such as pens, diaries, etc. may be accepted but, if there is any doubt as to whether an item is classed as insignificant, or if acceptance of the gift could be perceived to jeopardise the integrity of any subsequent decision by the council, then the gift should be recorded in the register provided. When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the council may be taking affecting those providing the hospitality.

1. SPONSORSHIP – GIVING AND RECEIVING Where an outside organisation wishes to sponsor or is seeking to sponsor a council activity, whether by invitation, tender, negotiation or voluntarily, the same conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with current or potential contractors or developers.

Where the council wishes to sponsor an event or service neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full disclosure to your Line Manager of any such interest. Similarly where the council through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

1. SEPARATION OF ROLES DURING TENDERING

Employees involved in the tendering process must act with the utmost of integrity. Employees who are privy to confidential information on tenders or costs for contracts should not disclose that information to any unauthorised party or organisation. Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in a senior or relevant managerial capacity.

1. WHISTLE BLOWING

In the event that an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with the Code, the employee should report the matter, acting in accordance with the employee’s rights under the Public Interest Disclosure Act 1998 and in accordance with the council’s confidential reporting procedure.

1. TREATMENT OF INFORMATION

Openness in the dissemination of information and decision making should be the norm for the Authority. However, certain information may be confidential or sensitive and therefore not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a councillor, relevant member of staff or other person who is entitled to receive it or needs to have access to it for the proper discharge of their functions. Employees shall not disclose confidential information, nor should they use any information obtained in the course of their employment for personal gain or benefit or pass it on to others who you believe might use it in such a way. Nothing in this Code can be taken as overriding existing statutory or common law obligations to keep certain information confidential, or to divulge certain information.

1. APPOINTMENTS AND OTHER EMPLOYMENT MATTERS

Employees involved in the recruitment and appointment of staff must ensure that these are made on the basis of merit. It is unlawful for an employee to make an appointment which is based on anything other than the ability of the candidate to undertake the duties of the post. In order to avoid any possible accusation of bias, employees should not be involved in any appointment, where they are related to an applicant, or with whom they have a close personal relationship outside work. Similarly, employees should not be involved in decisions relating to discipline, promotion or pay and conditions for any other employee who is a relative, partner, etc. or with whom they have a close personal relationship outside work. Employees of all grades must not undertake outside work, whether paid or unpaid, if it causes a conflict of interest with their official duties, particularly if it makes use of confidential material to which they have access by virtue of their position, or if it in any way weakens public confidence in the conduct of the council’s business. No paid or unpaid outside work of any sort should be undertaken by employees during working hours. Council premises, facilities and resources must not be used for paid or unpaid outside work.

1. INVESTIGATIONS BY THE MONITORING OFFICER

Where a monitoring officer is undertaking an investigation in accordance with regulations made under Section 73(1) of the Local Government Act 2000, you must comply with any requirement made by the monitoring officer in connection with such an investigation.

1. BREACHES OF THE CODE OF CONDUCT

Any employee who breaches the Code, may face disciplinary action under the council’s own disciplinary procedures for matters concerning improper conduct.

SECTION 9

LLANELLI RURAL COUNCIL FINANCIAL REGULATIONS These financial regulations were reviewed and adopted by the council at its meeting held on 8 March, 2022. 1. GENERAL 1.1 These financial regulations govern the conduct of the financial transactions of the council and may only be amended or varied by resolution of the council. 1.2 The Responsible Financial Officer (RFO), under the policy direction of the council, shall be responsible for the proper administration of the council's financial affairs. 1.3 The RFO shall be responsible for the production of financial management information. 1.4 The council shall be responsible for ensuring that the financial management is adequate and effective and that the council has a system of internal controls which facilitates the effective exercise of its functions and which manages risk. 1.5 The council shall review at least once a year the effectiveness of its systems of internal controls and shall produce a statement on internal control with its statement of accounts 1.6 Each committee or sub-committee shall be responsible for the observance of the council’s financial regulations in all matters under their control. 2. ANNUAL ESTIMATES 2.1 Detailed estimates of all income and expenditure for the forthcoming financial year shall be prepared each year by the RFO. 2.2 Each committee responsible for formulating estimates shall submit proposals to the council in respect of revenue and capital costs for the following financial year not later than mid February each year based on the estimates prepared by the RFO in 2.1 above. 2.3 The council shall review the estimates not later than the end of February each year and shall agree the budget and fix the Precept to be levied for the ensuing financial year. The RFO shall supply each member with a copy of the approved budgets. 2.4 The annual budgets shall form the basis of financial control for the ensuing year. 3. BUDGETARY CONTROL 3.1 Expenditure on revenue items may be incurred up to the amounts included in the approved budget. 3.2 Where it appears that the amount of any head of estimate of income and expenditure may be exceeded or the amount of any head of approved income may not be reached, 70 it shall be the duty of the RFO to inform the committee concerned. The RFO may vire between subheads where required and report the action to the relevant committee. 3.3 The RFO shall regularly provide the Finance and General Purposes Committee with a statement of income and expenditure to date under each head of the budgets, comparing actual expenditure against that planned. 3.4 The Clerk and Technical and General Operations Manager may incur expenditure on behalf of the council, in consultation with the Chairman and Leader of Council, which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once. The action shall be reported to the appropriate committee as soon as practicable thereafter. 3.5 Unspent provisions in the revenue budget shall not be carried forward to a subsequent year unless specifically earmarked for essential work or identified projects. 3.6 Standing committees may only make recommendations to the council on carrying out capital schemes. 3.7 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving capital expenditure unless the council is satisfied that the necessary funds are available, or the requisite borrowing approval has been obtained. 3.8 All capital works shall be administered in accordance with the council's standing orders and financial regulations relating to contracts. 3.9 Capital schemes shall be prioritised by the council at regular intervals. 3.10 The inclusion of items in approved revenue estimates or capital programmes shall constitute authority to incur such expenditure save to the extent to which the council shall have placed a reservation on any such item or items. Expenditure on any such reserved items may be incurred only when and to the extent that such reservation has been removed. 4. ACCOUNTING AND AUDIT 4.1 All accounting procedures and financial records of the council shall be determined by the RFO as required by the Accounts and Audit (Wales) Regulations 2014 (hereinafter referred to as the “Regulations”), and any subsequent amendments thereto. 4.2 The RFO shall be responsible for ensuring the completion of the Accounts of the council and for submitting for approval and authorisation by the council within the timescale set by the Regulations or set by the Auditor. 4.3 The RFO shall be responsible for ensuring that there is an adequate and effective system of internal audit of the council's accounting, financial and other operations in accordance with the Regulations. Any officer or member of the council shall, if the RFO or Internal Auditor requires, make available such documents of the council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose. 71 4.4 The council shall carry out a review of the effectiveness of internal audit on an annual basis in accordance with the Regulations. 4.5 The Internal Auditor shall carry out the work required by the RFO and the council, with a view to satisfactory completion of the Internal Auditor's Report. The Internal Auditor, who shall be competent and independent of the operations of the council, shall report to council in writing on a regular basis with a minimum of one annual report in respect of each financial year. 4.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers required by the Public Audit (Wales) Act 2004 and any subsequent amendments thereto, and the Regulations. 4.7 The RFO shall, as soon as practicable, bring to the attention of the Finance and General Purposes Committee any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter. 4.8 The RFO or nominated officer shall have authority to enter at all reasonable times on any council premises or land and have access to all records, documents and correspondence relating to any financial and other transactions of the council. 4.9 Whenever any matter arises which involves, or is thought to involve irregularities concerning cash, stores or any other property of the council or any suspected irregularity, the RFO shall take steps as considered necessary by way of investigation and report. 5. BANKING ARRANGEMENTS AND PAYMENTS 5.1 The council's banking arrangements shall be made by the RFO and approved by the Finance and General Purposes Committee. They shall be regularly reviewed for efficiency. 5.2 Schedule of the payments made during the prior month, forming part of the agenda for the meeting, shall be prepared by the RFO and, together with the relevant invoices, be presented to the Finance and General Purposes Committee. If the schedule is in order it shall be authorised by a resolution of the committee and shall be signed by the Chairman of the Meeting. If more appropriate the detail may be shown in the minutes of the meeting. 5.3 BACS transfers, cheques, direct debits etc. drawn on the bank account in accordance with the schedule referred to in paragraph 5.2 shall be signed by two members of council and a nominated officer. 6. PAYMENT OF ACCOUNTS 6.1 All payments shall be effected by BACS or other order drawn on the council's bankers. 6.2 All invoices for payment shall be examined, verified and certified by the RFO. The RFO shall satisfy him/herself that the work, goods or services to which the invoice relates shall have been received, carried out, examined and approved. 72 6.3 The RFO shall ensure that invoices are examined in relation to arithmetic accuracy and that they are analysed to the appropriate expenditure heading. All steps shall be taken to settle all invoices submitted within an appropriate timescale. 6.4 The RFO may provide petty cash to officers for the purpose of defraying operational and other expenses. Vouchers for payments made shall be made with a claim for reimbursement: a) Administrative Officers shall maintain a petty cash imprest for the purpose of defraying operational and other expenses. Vouchers for payments made from petty cash shall be kept to substantiate the payment. b) Income received must not be paid into the petty cash float but must be separately banked, as provided elsewhere in these regulations. c) Payments to maintain the petty cash float shall be shown separately on the schedule of payments presented to council under 5.2 above. 7. PAYMENT OF SALARIES AND ALLOWANCES 7.1 The payment of all salaries shall be made in accordance with payroll records and the rules of PAYE and National Insurance currently operating, and salaries shall be as agreed by the Policy and Resources Committee in line with the extant national pay negotiating agreements. 7.2 Payment of salaries and payment of deductions from salary such as may be made for tax, national insurance and pension contributions, may be made in accordance with the payroll records and on the appropriate dates, provided that the net payment is reported to the next meeting of the Finance and General Purposes Committee. 7.3 All claims for payment of attendance and subsistence allowances, travelling and incidental expenses must be submitted, duly certified on a form approved by the RFO, up to the 16th day of each month to the appropriate line manager for authorisation. 7.4 Payments to members, including co-opted members of the council or its committees who are entitled to claim travelling or other allowances will be certified by the RFO upon receipt of the prescribed form duly completed by the 16th day of each month. 7.5 Salaries, wages and members’ allowances shall be paid by BACS. 7.6 Claims submitted more that six months after the end of the financial year when the expenses were incurred, will only be paid with the approval of the RFO. 8. LOANS AND INVESTMENTS 8.1 All loans and investments shall be negotiated in the name of the council and shall be for a set period in accordance with council policy. 8.2 The council's Investment Policy shall be reviewed on a regular basis (at least annually). 8.3 All investments of money under the control of the council shall be in the name of the council. 73 8.4 All borrowings shall be effected in the name of the council, after obtaining any necessary borrowing approval. Any application for borrowing approval shall be approved by the council as to terms and purpose. 8.5 All investment certificates and other documents relating thereto shall be retained in the custody of the RFO. 9. INCOME 9.1 The collection of all sums due to the council shall be the responsibility of and under the supervision of the RFO. 9.2 Particulars of all charges to be made for work done, services rendered or goods supplied shall be agreed annually by the appropriate committee. 9.3 The council will review all fees and charges annually, following a report of the RFO. 9.4 Any sums found to be irrecoverable and any bad debts shall be reported to the Finance and General Purposes Committee and shall be written off in the year. 9.5 All sums received on behalf of the council shall be banked intact as directed by the RFO. In all cases, all receipts shall be deposited with the council's bankers with such frequency as the RFO considers necessary. 9.6 The origin of each receipt shall be entered on the paying-in slip. 9.7 Personal cheques shall not be cashed out of money held on behalf of the council. 9.8 The RFO shall promptly complete any VAT Return that is required. Any repayment claim due shall be made quarterly. 10. ORDERS FOR WORK, GOODS AND SERVICES 10.1 An official order or letter shall be issued for all work, goods and services unless a formal contract is to be prepared or an official order would be inappropriate. Copies of orders shall be retained and kept with the invoice relating to the purchase. 10.2 Order books shall be controlled by the RFO. 10.3 All members and officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable practicable that the best available terms are obtained in respect of each transaction, usually by obtaining three or more quotations or estimates from appropriate suppliers, subject to any de minimis provisions in Regulation 11 (1) below. 11. CONTRACTS 11.1 Procedures as to contracts are laid down as follows: (a) Every contract shall comply with these financial regulations, and no exceptions shall be made otherwise than in an emergency provided that these regulations shall not apply to contracts which relate to items (i) to (v) below: 74 (i) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price. (ii) for the supply of water and sewerage services; (iii) for specialist professional services such as are provided by solicitors, accountants, architects and planning consultants etc; (iv) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant; (v) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council; (b) Where it is intended to enter into a contract exceeding £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk to the Council or nominated officer shall invite tenders from at least three firms to be taken from the appropriate approved list. (c) Tenders may be invited from contractors for capital works listed in Carmarthenshire County Council’s Contractor and Consultancy Framework in lieu of the Sell2Wales initiative. (d) When applications are made to waive financial regulations relating to contracts to enable a price to be negotiated without competition the reason shall be embodied in a recommendation to the council. (e) Such invitation to tender shall state the general nature of the intended contract and the Clerk to the Council or other nominated officer shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk to the Council or each tendering firm shall be supplied with a specifically marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract. (f) In some instances, where it may not be possible to draw up a specification, quotations will be invited for the goods or services required and treated in the same manner as a tender would. (g) All sealed tenders shall be opened at the same time on the prescribed date by the RFO, or nominated officer, in the presence of the Chairman of Council. (h) All details of tender documents issued and returned must be entered into the Tender Monitoring Book. (i) Any tender received after the specified time shall be returned promptly to the tenderer. The tender may be opened to ascertain the name of the tenderer but no details of the tender shall be disclosed. 75 (j) A late tender may be considered if it can be satisfied that there is evidence of posting in time for delivering by the due date in the normal course of post delivery, or the other tenders have not been determined. (k) If less than three tenders are received for contracts above £25, 000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works. (l) When it is intended to enter into a contract less than £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph (a) the Clerk, Technical and General Operations Manager or nominated officer shall obtain 3 quotations (priced descriptions of the proposed supply); where the value is below £5,000 and above £1,000 the officers shall strive to obtain 3 estimates and market checking will be undertaken to demonstrate value for money. Otherwise, Regulation 10 (3) above shall apply. (m) Where examination of tenders reveal errors or discrepancies which would affect the tender figure(s) in an otherwise successful tender, the tenderer is to be given details of such errors and discrepancies and afforded an opportunity of confirming or withdrawing the offer. (n) If the tenderer withdraws, the next tenderer in competitive order is to be examined and dealt with in the same way. Any exception to this procedure may be authorised only by, or on behalf of, the committee concerned after consideration of a report of the officer concerned. (o) The council shall not be obliged to accept the lowest or any tender, quotation or estimate. (p) If the tender accepted is not the lowest received, reasons for the selection must be reported to or documented by the committee responsible for the contract. (q) A member must not discuss the content of a tender document with a contractor. 12. PAYMENTS UNDER CONTRACTS FOR BUILDING OR OTHER CONSTRUCTION WORKS 12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorisation by the Technical and General Operations Manager or authorised certificates of the architect or other consultants engaged to supervise the contract (subject to any percentage withholding as may be agreed in the particular contract). 12.2 Where contracts provide for payment by instalments the RFO shall maintain a record of all such payments. In any case where it is estimated that the total cost of work carried out under a contract, excluding agreed variations, will exceed the contract sum of 5% or more a report shall be submitted to the council. 12.3 Any variation to a contract or addition to or omission from a contract must be approved prior to the instruction being given to the Contractor. The council would be informed where the final cost is likely to exceed the financial provision. 76 12.4 The Technical and General Operations Manager shall examine final accounts for contracts, obtain necessary information and explanation to satisfy the accuracy of the accounts. 13. STORES AND EQUIPMENT 13.1 The officer in charge of each section shall be responsible for the care and custody of stores and equipment in that section. 13.2 Delivery notes shall be obtained in respect of all goods received into store or otherwise delivered and goods must be checked as to order and quality at the time delivery is made. 13.3 Stocks shall be kept at the minimum levels consistent with operational requirements. 13.4 The officer in charge shall be responsible for periodic checks of stocks and stores at least annually. 13.5 Council property shall not be removed other than in the course of business or used otherwise than for council’s purposes except by direction issued by the Clerk to the Council or Technical and General Operations Manager. 14. PROPERTIES AND ESTATES 14.1 The Clerk shall make appropriate arrangements for the custody of all title deeds of properties owned by the council. The Technical and General Operations Manager shall ensure a record is maintained of all properties owned by the council, recording the location, extent, plan, reference, purchase details, nature of the interest, tenancies granted, rents payable and purpose for which held in accordance with Regulation 4(3)(b) of the Accounts and Audit Regulations 1996 as amended. 14.2 No property shall be sold, leased or otherwise disposed of without the authority of the council, together with any other consents required by law, save where the estimated value of any one item of tangible movable property does not exceed £100. 15. INSURANCE 15.1 Following an annual risk assessment, the RFO shall effect all insurances and negotiate all claims on the council's insurers 15.2 The RFO should arrange insurance cover for all new risks, properties or vehicles which require to be insured and of any alterations affecting existing insurances. 15.3 The RFO shall keep a record of all insurances effected by the council and the property and risks covered thereby and annually review it. 15.4 The RFO shall be notified of any loss liability or damage or of any event likely to lead to a claim. 15.5 All appropriate employees of the council shall be included in a suitable fidelity guarantee insurance which shall cover the maximum risk exposure as determined by the council. 77