

Llanfihangel Rhydithon Community Council

Minutes of the annual Meeting of the Llanfihangel Rhydithon Community Council held via Zoom on Thursday 26th November 2020 commencing at 8pm.

Present: R Watkins, E Newman, R Shelton, R Stuart-Lyon, C Watkins, D Lewis. County Cllr Hywel Lewis

1. Apologies for absence: R Thomas

2. Approve minutes of the last annual meeting;

These were agreed (subject to amendment below). Proposed by D Lewis and seconded by E Newman

3. Matters arising from the minutes;

D Lewis is school rep, not R Thomas.

4. Election of Officers:

- **Chair:** Cllr Shelton proposed Cllr R Watkins. This proposal was seconded by Cllr Lewis and was passed unanimously.
- **Vice Chair:** Cllr R Stuart-Lyon was proposed and seconded: he was duly elected.
- **5 Representative on the Governing Body of Llanfihangel Rhydithon Primary School**
- Cllr D Lewis agreed to be the representative, this was proposed by Cllr Shelton and seconded by Cllr C Watkins
- **6 Representative on the Management Committee of the Dolau Recreation Association**
- Cllr E Newman agreed to be the representative
- **7 To appoint the internal auditor**

It was agreed that Mr K Morris be asked to be the internal auditor for the financial year 2019-2020

5. Discuss fidelity insurance:

- After much discussion, this item was deferred to be looked into with more detail and to discuss with One Voice Wales.

6. To consider the adoption of Financial Regulations (attached Appendix A):

- This was discussed and proposed by R Shelton and Seconded by D Lewis. All agreed to adopt the financial regulation.

7: To consider the adoption of a formal Complaints Procedure (attached Appendix B):

- The complaints procedure was discussed and all agreed in favour to adopt the complaints procedure. This was proposed by E Newman and seconded by R Shelton.

8. To fix a date for the next AGM:

The next annual meeting will be held on the 20th May 2021.

D Price

Clerk/RFO

Appendix A

Llanfihangel Rhydithon Community Council

FINANCIAL REGULATIONS

1 General

1.1 These financial regulations shall 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. Currently the Clerk is also the RFO for the Council.

1.3 The RFO shall be responsible for the production of financial management information.

1.4 At least once a year the council shall conduct a review of the effectiveness of its system of internal control via the annual risk assessment, which shall be in accordance with proper practices.

2 Annual Estimates

2.1 Members of the Council will be asked to identify spending proposals for the forthcoming year for consideration by the Council not later than the December meeting the previous year.

2.2 Detailed estimates of income and expenditure, on the basis of the proposals submitted in 2.1 above, and receipts and payment on capital account, shall be prepared each year by the RFO.

2.3 The council will review the estimates, agree the budget and set the precept not later than at the January meeting. The RFO shall supply each member with a copy of the approved estimates.

2.4 The annual capital and revenue budgets shall form the basis of financial control for the ensuing year.

2.5 The Council shall consider the need for and shall have regard to a three year forecast of Revenue and Capital Receipts and Payments which may be prepared at the same time as the annual Budget.

3 Budgetary Control

3.1 Expenditure on the revenue account may be incurred up to the amounts included in each approved budget.

3.2 No expenditure may be incurred which cannot be met from the amount provided in the appropriate revenue budget unless a virement has been approved by the council.

3.3 The RFO shall periodically provide the council with a statement of income and expenditure to date under each head of the approved annual revenue and capital budgets.

3.4 The clerk may incur expenditure on behalf of the council which is necessary to carry out repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £100. The clerk shall report the action to the Council as soon as practicable thereafter.

3.5 Where expenditure is incurred in accordance with regulation 3.4 above and the sum required cannot be met from savings made elsewhere within that approved budget, it shall be subject to the provisions of a supplementary estimate approved by the council.

3.6 No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the committee concerned are satisfied that it is contained in the rolling capital programme and that the necessary capital funds are available, or the requisite borrowing approval can be obtained.

3.7 All capital works shall be administered in accordance with the council's financial regulations relating to contracts.

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 current Accounts and Audit Regulations.

4.2 The RFO shall be responsible for completing the annual accounts of the council as soon as practicable after the end of the financial year and shall submit them to and report thereon to the council.

4.3 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. 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.

4.4 The Internal Auditor shall be appointed by and shall carry out the work required by the council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each financial year. In order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision making, management or control of the council.

4.5 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations.

4.6 The RFO shall, as soon as practicable, bring to the attention of all councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

5 Banking Arrangements and Cheques

5.1 The council's banking arrangements shall be made by the RFO and approved by the council.

5.2 A schedule of the payment of money shall be prepared by the RFO and together with the relevant invoices etc presented to the council. If the schedule is in order it shall be authorised by a resolution of the council and signed by the chairman or vice chairman.

5.3 Cheques drawn on the council's bank account in accordance with the schedule referred to in the previous paragraph shall be signed by two members of the council.

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

6 Payment of Accounts

6.1 Apart from petty cash payments all payments shall be effected by cheque or other order drawn on the council's bankers.

6.2 All invoices for payment shall be examined, verified and certified by the Clerk. Before certifying an invoice the Clerk shall be satisfied that the work, goods or services to which the invoice relates have been received, carried out, examined and approved.

6.3 Duly certified invoices shall be passed to the RFO who shall examine them in relation to arithmetical accuracy and authorisation, and shall code them to the appropriate expenditure head. The RFO shall take all possible steps to settle all invoices submitted, and which are in order, within 30 days of their receipt.

6.5 All duly certified invoices will then be entered on the schedule referred to in 5. 2 above.

6.6 The RFO may provide petty cash for the purpose of defraying operational and other expenses. Vouchers for payments made shall be forwarded to the RFO for reimbursement:

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

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

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

7 Payment of Salaries and Wages

7.1 The payment of all salaries and wages shall be made by the RFO from the main current account in accordance with the salary records and current PAYE and NI regulations.

8 Loans and Investments

8.1 All loans and investments shall be negotiated by the RFO in the name of the council, and shall be for a set period of time in accordance with council policy. Changes to loans and investments should be reported to the council at the earliest opportunity.

8.2 All investments of money under the control of the council shall be in the name of the council.

8.3 All borrowing shall be agreed by the Council and shall be effected in the name of the council. The appropriate borrowing approval from the Welsh Assembly Government shall be obtained.

8.4 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 notified to the RFO and the RFO shall be ultimately responsible for the collection of all accounts due to the council.

9.3 The council will review all fees and charges annually, following a report of the clerk.

9.4 Any bad debts shall be reported to the council.

9.5 All sums received on behalf of the council shall either be paid to the RFO for banking or be banked by the officer collecting the money 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 A reference to the related debt, or otherwise, indicating the origin of each cheque, shall be entered on the paying-in slip.

9.7 Every transfer of official money from one member of staff to another shall be signed for by the receiving officer.

9.8 Personal cheques shall not be cashed out of money held on behalf of the council.

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 eg petty cash purchases. Copies of orders issued shall be maintained.

10.2 Order books shall be controlled by the RFO.

10.3 All officers are responsible for obtaining value for money at all times. An officer issuing an official order is to ensure as far as reasonable and practicable that the best available terms are obtained in respect of each transaction.

11 Contracts

11.1 Procedures as to the contracts are laid down in the council's standing orders as follows:

(a) Every contract whether made by the council or by a committee to which the power of making contracts has been delegated shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the council or in an emergency by such a committee as aforesaid provided that these standing orders shall not apply to contracts, which relate to items (i) to (v) below: (i) for the supply of gas, electricity, water, sewerage and telephone services (ii) for specialist services such as are provided by legal professionals acting in disputes. (iii) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council (v) for goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.

(b) Where it is intended to enter into a contract:

(i) exceeding £3,000 annually 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 shall invite tenders from at least three firms or tradespersons where possible. If this is not possible then a full explanation shall be provided.

(ii) for expenditures of £3,000 annually, or less in value the chairman of the spending committee or his appointed vice chairman together with the clerk or the duly authorised deputy shall have executive power,

(c) When applications are made to waive standing orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the council.

(d) Every exception made by a committee to which the power of making contracts has been delegated shall be reported to the council and the report shall specify the emergency by which the exception shall have been justified.

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

(f) All sealed tenders shall be opened at the same time on the prescribed date by the clerk or the properly authorised deputy in the presence of at least one member of the council.

(g) If less than three tenders are received for contracts valued above £3,000 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.

(h) The council shall not be obliged to accept the lowest or any tender.

12 Payments Under Contracts for Building or Other Construction Works

12.1 Payments on account of the contract sum shall be made within the time specified in the contract by the RFO upon authorised certificates of the architect or other consultants engaged to supervise the contract.

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

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

13 Stores and Equipment

13.1 The officer in charge shall be responsible for the care and custody of stores and equipment.

13.2 Delivery notes must be obtained in respect of all goods received into store and goods must be checked as regard quality at the time delivery is made.

13.3 Stocks shall generally be maintained at the minimum levels consistent with operational requirements.

13.4 The RFO shall be responsible for an annual check of all stocks and stores.

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 RFO 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 the Accounts and Audit Regulations.

14.2 No property shall be sold, leased or otherwise disposed of without the authority of the council, save where the estimated value of any one item does not exceed £500.

15 Insurance

15.1 The RFO shall effect all insurances and negotiate all claims on the council's insurers in consultation with the clerk.

15.2 The clerk shall give prompt notification to the RFO of 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 affected 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.

16. Revision of Financial Regulations

16.1 It shall be the duty of the council to review the financial regulations of the council annually and to make such recommendations to the council as the committee considers are required.

Llanfihangel Rhydithon Community Council

Formal Complaints Procedure

This Policy sets out procedures for dealing with any complaints that anyone may have about Llanfihangel Rhydithon Community Council's **administration and procedures** or the conduct of the Council's employees. The conduct of Councillors is primarily covered by Code of Conduct (as adopted by the Council). Advice on the Code of Conduct may be sought from the Monitoring Officer of Powys County Council. Formal Complaints about the conduct of Councillors should be reported to the Local Government Ombudsman. Complaints against policy decisions made by the Council shall be referred back to the next available meeting of the Council.

A complaint is defined as 'an expression of dissatisfaction by one or more members of the public about the Council's action or lack of action or about the standard of a service, whether that service was provided by the Council itself or by a person or body acting on behalf of the Council.'

Please note, the appropriate time for influencing Council decision-making is by raising your concerns before the Council debates and votes on a matter. You may do this by writing to the Council in advance of the meeting at which the item is to be discussed. If you are unhappy with a Council decision, you may raise your concerns with the Council, but Standing Orders prevent the Council from re-opening issues for six months from the date of the decision, unless there are exceptional grounds to consider this necessary and the special process set out in Council Standing Orders is followed

The Council considers that any complaint should be made within six months of the problem occurring. Any complaint received after this time will only be considered in exceptional circumstances.

The Complaints Policy of this Council is as follows –

Stage 1

1. If a complaint about procedures or administration is notified orally to a councillor or the Clerk and they cannot satisfy the complainant fully forthwith the complainant shall be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
2. If a complainant prefers not to put the complaint to the Clerk he or she shall be advised to put it to the Chairman.
3. (a) On receipt of a written complaint the Clerk or Chairman as the case may be, shall (*except where the complaint is about his or her own actions*) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Clerk or a councillor without first notifying the person complained of and giving an opportunity for comment on the manner in which it is intended to attempt to settle the complaint.

(b) Where the Clerk or Chairman receives a written complaint about his or her own actions he or she shall forthwith refer the complaint to the Council.

4. The Clerk or Chairman shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.

Stage 2

1. The Clerk or Chairman shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.

2. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.

3. As soon as may be after the decision has been made, it and the nature of any action to be taken shall be communicated in writing to the complainant.

4. A Council shall defer dealing with any written complaint only if it is of opinion that issues of law or practice arise on which advice is necessary from the Monitoring Officer of Powys County Council. The complaint shall be dealt with at the next meeting after the advice has been received.

Stage 3

1. If still not satisfied the complainant has the right to complain to the Public Services Ombudsman for Wales – contact details as follows:

0845 601 0987 (calls to this number are charged at local rate)

1 Ffordd yr Hen Gae

Pencoed

CF35 5LJ

ask@ombudsman-wales.org.uk

www.ombudsman-wales.org.uk

Please note that in the event of serial facetious, vexatious or malicious complaints from a member(s) of the public the Council will consider taking further advice before responding (in accordance with the recommendations of the Local Government Ombudsman)

Council Contact Details

Clerk :

Mr. D Price

Oakfields, Dolau, Llandrindod Wells, Powys LD1 5TL

Tel: 01597 851663 (Mob: 07798 928909) **E-mail Address**

: clerk.lrcc@yahoo.co.uk

Website : <https://llanrhydithon.wordpress.com/>