

COPYTHORNE PARISH COUNCIL - TUESDAY OCTOBER 13TH 2020

Item 16 – To receive and approve an updated “Operating Framework” for Copythorne Parish Council

An “Operating Framework” is a statement in simple terms of how an entity, in our case a Parish Council, operates.

The Council last adopted an “Operating Framework” on May 24th 2016. A copy is attached as Appendix 1.

Attached to this paper for consideration as Appendix 2 is an updated version of the existing Operating Framework which the Personnel & Governance Advisory Committee has reviewed and recommends to Council for adoption. The revision reflects changes to how the council operates since the previous version was adopted four years ago.

David Rigby
Clerk to Copythorne Parish Council
October 2nd 2020



COPYTHORNE PARISH COUNCIL

(EXISTING) OPERATING FRAMEWORK

**Adopted by
Resolution of the Parish Council
on
24th May 2016**

OPERATING FRAMEWORK

This statement summarises how Copythorne Parish Council operates. It is designed as a quick reference point for members of the public and as an “aide memoire” for officers and Councillors.

It is a summary only. Further information can be obtained from the Parish Clerk, and/or by consulting the Parish Council's Standing Orders.

The full Council

The Council is made up of 7 Councillors elected every 4 years (2015 being the last election year). If a vacancy occurs during the 4 years, an election will be held if 10 residents call for one, otherwise the remaining Councillors can co-opt someone on to the Council.

The full Council is ultimately responsible for all the functions and decisions of the Council.

Committees

The Council has appointed Standing Committees to carry out some of its functions. These are:

- Finance Committees
- Personnel and Governance
- Media and Publicity
- Planning

Committees have the power to appoint sub-committees, working parties or advisory groups for specific purposes who report back to the Committee.

Each Committee has its own Terms of Reference. These are a set of powers given to it by full Council. Each Committee is able to take decisions within the limits given to it. Anything falling beyond those limits must be referred to full Council.

In general, Committees are responsible for advising on, monitoring and reviewing their areas of responsibility, and working up proposals for the future. They cannot change existing Council policy or decisions. If they think such a change is desirable, they must refer the matter to the full Council, with a recommendation.

A full copy of the terms of reference of each Committee is available from the Parish Clerk.

The Clerk will attend all meetings and will be able to advise Councillors generally, including on whether a decision can be taken by the Committee or whether it needs to be referred to the full Council.

Councillors

Councillors are democratically accountable to the residents of the Parish of Copythorne Their over-riding duty is to the whole community, but they have a special duty to the constituents of their respective wards.

Councillors have to follow a Code of Conduct, setting out the behaviour expected of them while acting in their official capacity.

Councillors cannot make decisions individually. They cannot undertake action on behalf of the Council unless authorised to do so by the Council or a Committee (or Sub-Committee).

When communicating with the public about a Council matter, Councillors should make it clear whether on they are speaking or writing on behalf of the Council, or as an individual.

Meetings of Council and Committees

Council meetings are held approximately every month. They are open to the public, except when confidential items are discussed. Minutes of meetings are published on the Council's website, or can be obtained from the Parish Clerk.

Minutes are not a verbatim record of a meeting. However, any decisions the meeting makes are recorded.

The Parish Clerk

The Parish Clerk is the Chief Officer of the Council. His/her main role is to carry out the wishes of the Council, manage and oversee the delivery of its services, and advise on constitutional matters. He/she is also responsible for the proper administration of the Council's financial affairs.

Relationship between Clerk and Councillors

A close working relationship between Councillors and the Parish Clerk is important, and they should treat each other with mutual respect (the Councillors' Code of Conduct in any event requires Councillors to treat others with respect). However, the relationships should not become so close, or appear to be so close, as to bring into question Councillors' or the Clerk's ability to deal impartially with others.

COPYTHORNE PARISH COUNCIL

(PROPOSED REVISION TO) OPERATING FRAMEWORK

This statement summarises how Copythorne Parish Council operates. It is designed as a quick reference point for members of the public, and an “aide memoire” for officers and Councillors.

It is a summary only. Further information can be obtained from the Parish Clerk, and/or by consulting the Parish Council's Standing Orders; Financial Regulations; and other policy documents which can be found in the Transparency Section of the Council's website (www.copythorne.org.uk)

The full Council

The Council is made up of 7 Councillors elected every 4 years (2019, 2023 etc). If a vacancy occurs during the 4 years, an election will be held if 10 residents call for one, otherwise the remaining Councillors can co-opt someone on to the Council.

The full Council is ultimately responsible for all the functions and decisions of the Council.

Committees

The Council has no Standing Committees.

The Council has a number of Advisory Committees, these are:

- Finance Advisory Committee
- Five Year Plan Advisory Committee
- Flooding Advisory Committee
- Media & Publicity Advisory Committee Personnel & Governance Advisory Committee

The role of Advisory Committees is to progress the Council's day to day service delivery and to develop strategy.

Advisory Committees are constituted to implement the decisions of the Council as are specifically identified in their Terms of Reference and may only use the resources as delegated by the Council and have no mandate to make decisions on behalf of the Council save as are delegated necessary to act in that capacity.

In general, Advisory Committees are responsible for advising on, monitoring and reviewing their areas of responsibility, and working up proposals for the future. They cannot change existing Council policy or decisions. If they think such a change is desirable, they must refer the matter to the full Council, with a recommendation.

A full copy of the Terms of Reference for the Advisory Committees is available on the Council's website (under the Transparency section).

Councillors

Councillors are democratically accountable to the residents of the Parish. Their over-riding duty is to the whole community.

Councillors have to follow a Code of Conduct (a copy of which can be found in the Transparency section of the Council's website) which sets out the behaviour expected of them while acting in their official capacity.

Councillors cannot make decisions individually. They cannot undertake action on behalf of the Council unless authorised to do so by the Council.

When communicating with the public about a Council matter, Councillors must make it clear whether they are speaking/writing on behalf of the Council, or as an individual.

Meetings of Council

Council meetings are held on the second Tuesday of each month, except for August when no meeting is held. They are open to the public, except when confidential items are discussed. Minutes of meetings are published on the Council's website, or can be obtained from the Clerk.

Putting the agenda together is the Clerk's responsibility. The process is often undertaken in consultation with the Chairman.

The Clerk writes the minutes as a legal record of what was decided at the meeting. The Minutes are not a verbatim record of a meeting. However, any decisions the meeting makes are recorded.

The Parish Clerk

The Parish Clerk is the "Executive Officer" of the Council. His/her main role is to carry out the wishes of the Council, manage and oversee the delivery of its services, and advise on constitutional matters. He/she is also responsible for the proper administration of the Council's financial affairs.

Financial matters

The Council has capital and revenue budgets they can spend to carry out their duties. The budget is approved annually by the full Council, in December for the forthcoming financial year.

Relationship between Clerk and Councillors

A close working relationship between Councillors and the Parish Clerk is important, and they should treat each other with mutual respect (the Councillors' Code of Conduct in any event requires Councillors to treat others with respect). However, the relationships should not become so close, or appear to be so close, as to bring into question Councillors' or the Clerk's ability to deal impartially with others.

Date of Adoption:- xx/xx/xxxx

Date(s) reviewed:- xx/xx/xxxx