

Standing Orders for Harmsworth Memorial Trust

1. Trustee/s.

1.1 The sole trustee of the Harmsworth Memorial Trust is the Benenden Parish Council.

1.2 Elected or co-opted Parish Councilors [hereafter known as MEMBERS] shall make decisions as the sole trustee.

1.3 Following election or co-option to the Parish Council, each Member will be issued with a copy of the Trust's Standing Orders and relevant documents relating to the aims and objectives of the Trust.

2. Annual Meetings and Officers

2.1. An annual meeting shall be held.

2.2 The annual meeting shall elect the Chair and Vice Chair. The office holder/s need not be the same as for the Parish Council.

2.3 The annual meeting shall appoint a Clerk who may be the Parish Clerk.

2.4 Following the resignation of the Chair or Vice Chair, Members shall elect a replacement at the next meeting.

2.5 The Chair shall not usually hold office for more than 5 years in succession.

3. Meetings

3.1 Meetings will generally be held following the regular Parish Council meeting.

3.2 Additional meetings may be held if agreed at a regular meeting.

3.3 An emergency meeting may be called if the Chair, Vice Chair or any Member can secure the agreement by telephone or email of a MAJORITY of Members.

3.4. Regular meetings will be open to the public and press but either may be temporarily excluded from the meeting if the business is regarded as confidential.

3.5. Additional or emergency meetings need not be held in public.

3.6. Members of the public may question members at the discretion of the Chair of the meeting.

3.7. The agenda for the meeting will be agreed by the Clerk, Chair and Vice Chair as appropriate. The agenda will always include an item to enable Members to declare interests.

3.8. The Chair will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Member who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chair for the meeting.

3.9. The quorum for all meetings will be one third of the total Members present but in any case not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

3.10. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.11. Voting at the meeting shall be by a show of hands unless a majority of Members wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Member requests that their vote is noted. A member may also request that the Clerk records how each Member has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.12. In cases of equal votes the Chair (or other person presiding) will NOT have a second or casting vote and the motion or decision will be deemed NOT to have been agreed or carried.

3.13. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by members at their next meeting and signed by the person presiding at that meeting.

4. Finance - Accounting and Audit

4.1. Members will determine all accounting procedures and financial records in accordance with the Accounts and Audit Regulations.

4.2. The Clerk will complete the annual financial statements including the annual return as soon as practicable after the end of the financial year and will submit and report on them to Members.

4.3 Members will review each year and ensure that there is an adequate, effective system of internal audit of the accounting, financial and other procedures in line with Proper Practice.

4.4 An Internal Auditor will be appointed by Members to carry out the work required to comply with the Proper Practice. The person appointed will be competent and independent of the operation of the Trust.

4.5. The Clerk will submit the Annual Return to the External Auditor by the due date, ensuring the return is complete.

5. Banking Arrangements and Cheques

5.1. The Trust's banking arrangements, including the Bank Mandate, will be made by the Clerk and approved by members. They will be regularly reviewed for efficiency.

5.2. A resolution of Members will nominate at least three Members to be authorised by the Trust to sign cheques.

5.3. All items of expenditure will be agreed and authorised by Members and the payments approved. Clerk will examine invoices and verify and certify the expenditure.

5.4 Cheques will be completed for all transactions and signed by two authorised Members. Electronic Bank Transfers may also be used if the Chair, Vice Chair and Clerk are satisfied sufficient safeguards are in place.

5.5. Any utility bill may be paid by Direct Debit provided that the instructions are signed by two authorised Members.

6. Loans and Investments

6.1. All loans and investments must conform to Charity Law and will be negotiated in the name of the Trust and will be set for a period approved by Members.

6.2. All borrowings must conform to Charity Law and will be in the name of the Trust and will not be entered into until necessary approvals have been given. Any application will be approved by Members especially the terms and purpose. These terms must be reviewed annually.

7. Contracts and Purchase Orders

7.1. An official order or letter will be issued for all work or service paid for by the Trust. All members and officers are responsible for obtaining good value for money at all times. An officer placing an order on behalf of the Trust will ensure that good value and appropriate terms are obtained for the transaction.

7.2. Orders for values £500 to £5000 require a minimum of two quotations; for values above £5000 three quotations are required. Contracts exceeding £50,000 require additional safeguards and will follow best Charity Commission Practice.

7.3. All estimates will be approved Members; while Members are not obliged to accept the lowest quotation the reasons for accepting the quotation will be recorded.

8. Assets

8.1. The Clerk will ensure that an appropriate and accurate Register of Assets is maintained by the Trust. It will be reviewed at least annually, in conjunction with a health and safety inspection of assets if appropriate.

9. VAT

9.1. The Clerk will promptly complete any VAT Return that is required. Any repayment claim due in accordance with the VAT Act 1974 section 33 will be made at least annually coinciding with the financial year.

10 Insurance

10.1 Following the annual risk assessment Members will review the level of insurance cover and ensure it is adequate and appropriate for the activities of the Trust. Minimum cover will include Public Liability, Employers Liability, Money and Fidelity Guarantee.

11 Risk Assessment

11.1. A risk assessment will be undertaken annually of all the activities of the Trust and a report approved by Members. This assessment will also cover the appropriateness of the internal audit arrangements.

11.2 If the Trust undertakes a new activity not covered by the existing risk assessment an assessment should be undertaken before the activity commences.

12. Employees of the Trust

12.1. Members may appoint a number of employees to assist it in the performance of its duties. The Trust may appoint a Clerk which may be on an employed basis, unless the Clerk is a Member acting in an unpaid capacity.

12.2. Unless Members appoint a separate Financial Officer, The Clerk will act as Financial Officer.

12.3. As an employee of the Trust the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chair or designated Member acting with the authority of the Trust.

13. Committees

13.1. Members from time to time may set up committees to undertake work on behalf of the Trust. Members will set their Terms of reference and Standing Orders, and they will report periodically to a full meeting of members.

13.2. Members of committees may not incur the Trust in any expenditure unless specifically authorised by Members. Any such expenditure must follow the rules set out in these standing orders.

13.3. Members of committees may not speak on behalf of the Trust unless specifically authorised by Members.

14. Emergency Business

14.1. Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chair and one other members who may be contacted by telephone or email. Emergency business involving expenditure of more than £100 must have the approval gained by telephone or email of a majority of Members. Such actions must be reported promptly to the Trust at the next possible meeting.

15. Standing Orders

15.1. These and any other standing orders will be reviewed annually by the Clerk and the Chair, and any amendments will be decided by the Members.

15.2. Alterations to Standing Orders may be made at the Annual General Meeting where they will require a majority seventy-five percent (or nearest equivalent) of attending Members.

15.3 Alterations to Standing Orders may be made at regular or emergency meetings but only by unanimous vote of Members.

15.4. During the course of meetings of the Trust, the Chair's decision as to the interpretation of the standing orders may only be challenged by a majority vote by seventy-five percent (or nearest equivalent) of attending Members.

15.5 Any other ruling by the Chair in the course of a meeting may be challenged by a motion proposed and seconded by Members that the Chair's Ruling Be Not Upheld. In such a case a simple majority will suffice. Should the vote be tied the motion shall be deemed Not Carried. The Chair shall not have a second or casting vote.

15.6. The Members may resolve to suspend a Standing Order, in order to progress the business of the Trust, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

Adopted 22 January 2013