



# **STANDING ORDERS**

**Adopted October 2018**

**Last Reviewed May 2023**

**Next review - May 2024**

**Based on NALC template MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022**

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Entries in **bold** contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning.

## 1 All Meetings

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
  
- b **The minimum three clear days for notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
  
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
  
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
  
- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect the business on the agenda.
  
- f The period of time designated for public participation at a meeting in accordance with standing order 1 (e) shall not exceed 15 minutes unless directed by the chairman of the meeting. A member of the public shall not speak for more than 3 minutes.
  
- g Subject to standing order 1(f) above. When there is an issue relating to the parish where more than one member of the public wishes to speak one member 'for' and one member 'against' of those groups needs to be nominated as spokesperson. That person then has three minutes to put the views of the residents to the Parish Council. All residents are still able to write to the Parish Council expressing their views and these letters will be read and taken into account prior to the Council making its decision.
  
- h In accordance with standing order 1(e) above, a question asked by a member of the public during a

public participation session at a meeting shall not require a response or debate.

- i At all meetings of the Council the Chair may at his/her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- j In accordance with standing order 1(e) above, the Chair may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- k A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- l A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chair of the meeting may at any time permit a person to be seated when speaking.
- m Any person speaking at a meeting shall address his/her comments to the Chair.
- n Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- o **A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- p **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- q **The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- r **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the**

**Vice-Chair of the Council (if any).**

- s **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- t **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- u **The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not s/he gave an original vote.** *(See also standing orders 2 (h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.)*
- v **Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- w The minutes of a meeting shall include an accurate record of the following:
- i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- x If prior to a meeting, a Councillor has submitted reasons for his/her absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- y **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or**

**another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- z An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing order 7 below.)
- aa No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.
- bb If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- cc Meetings shall not exceed a period of 2 hours.

## **2 Ordinary Council meetings**

*See also standing order 1 above*

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.** The Chair and Vice-Chair of the Council shall be expected to serve for no more than a two-year term of office.
- f **The Chair of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless s/he resigns or becomes disqualified,**

**shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

- h In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
  
- i In an election year, if the current Chair of the Council has been re-elected as a member of the Council, s/he shall preside at the annual meeting until a new Chair of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
  
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the order of business shall include:
  - i. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date.**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
  - iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
  - iv. Review of the terms of references for committees.
  - v. Appointment of members to existing committees.
  - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
  - vii. Review and adoption of appropriate standing orders and financial regulations.
  - viii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - ix. Review of representation on or work with external bodies and arrangements for reporting back.
  - x. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future.
  - xi. Review of the Council's and/or employees' memberships of other bodies.
  - xii. Establishing or reviewing the Council's complaints procedure.
  - xiii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation.

- xiv. Establishing or reviewing the Council's policy for dealing with the press/media
- xv. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead up to and including the next annual meeting of the Council.
- xvi. Review of inventory of land and other assets including buildings and office equipment.
- xvii. Confirmation of arrangements for insurance cover in respect of all insurable risks.
- xviii. Review of the Council's employment policies and procedures.
- xix. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

### 3 Proper Officer

a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

b The Council's Proper Officer shall do the following.

~~i. At least three clear days before a meeting of the council, a committee or a sub-committee, serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email).~~

Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 5 clear days before a meeting is not expedient, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 5 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.

*(Amended 10 June 2019 – minute 23.19/20)*

**ii. Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See standing order 1(b) for the meaning of clear days for a meeting of a full council and standing order 1(c) for the meaning of clear days for a meeting of a committee.*

iii. Subject to standing orders 4(a)–(h) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his/her withdrawal of it.

**iv. Convene a meeting of the Council for the election of a new Chair of the Council,**



**occasioned by a casual vacancy in his/her office.**

- v. **Facilitate inspection of the minute book by local government electors.**
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. Hold declarations of acceptance of office from councillors.
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings.
- x. Assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures.
- xi. Liaise, as appropriate, with the Council's Data Protection Officer.
- xii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xiii. Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requests (e.g. the Limitation Act 1980.)
- xiv. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also standing orders 13(a) and (b).*)
- xv. Arrange or manage for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvii. Refer a planning application received by the Council to the Chair of Planning or in his/her absence the Vice-Chair of Planning within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning Committee.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xix. manage access to information about the Council via the publication scheme; and
- xx. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

## **4 Motions for a meeting that require written notice to be given to the Proper Officer**

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it

is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.

- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 3 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chair or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered into a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

## **5 Motions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice to the Proper Officer.
  - i To approve the absences of councillors.
  - ii To approve the accuracy of the minutes of the previous meeting.
  - iii To correct an inaccuracy in the draft minutes of the previous meeting.
  - iv To move to a vote.

- v. To defer consideration of a motion.
  - vi. To refer a motion to a particular committee or sub-committee or an employee.
  - vii. To appoint a person to preside at a meeting.
  - viii. To change the order of business on the agenda.
  - ix. To proceed to the next business on the agenda.
  - x. To require a written report.
  - xi. To appoint a committee or sub-committee and their members.
  - xii. To dispose of business, if any, remaining from the last meeting.
  - xiii. To extend the time limits for speaking.
  - xiv. To close or adjourn debate.
  - xv. To receive nominations to a committee or sub-committee.
  - xvi. To note the minutes of a meeting of a committee or sub-committee.
  - xvii. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
  - xviii. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - xix. To authorise legal deeds signed by two councillors and witnessed. (See standing orders 13(a) and (b) below.)
  - xx. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
  - xxi. To exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest.
  - xxii. To not hear further from a councillor or a member of the public.
  - xxiii. To exclude a councillor or member of the public for disorderly conduct.
  - xxiv. To temporarily suspend the meeting.
  - xxv. To suspend a particular standing order except those which are mandatory by law.
  - xxvi. To adjourn the meeting.
  - xxvii. To close the meeting.
  - xxviii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
  - xxix. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda

unless the order is changed at the Chair's direction for reasons of expedience.

- b Subject to standing orders 4(a)–(h) above, a motion (including an amendment) shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.
- f A councillor may move amendments to his/her own motion if agreed by the meeting. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder and the meeting.
- g To avoid pre-determination, no pre-discussion of an issue, or indication of voting stance/personal views on a particular issue be made in e-mail correspondence by any councillor. No attempt should be made to engage in a debate.
- h An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- j Subject to standing order 6(1) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.
- k One or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- n If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- o The mover of an amendment has no right of reply at the end of debate on it.

- p Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- q Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
- i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he/she last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- r During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which s/he considers has been breached or specify the irregularity in the meeting s/he is concerned by.
- s A point of order shall be decided by the Chair and his/her decision shall be final.
- t Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her right of reply.
- u Excluding motions moved under standing order 6(v) below, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chair of the meeting.
- v Subject to standing order 6(r) above, when a councillor's motion is under debate no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him/her to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting;

- ix. to suspend any standing order, except those which reflect mandatory statutory or legal requirements.

## 7 Code of conduct and Dispensations

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- d Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- e **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- f A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- g Subject to standing orders 7(e) and (h), a dispensation request shall be considered at the beginning of the Council, or committee or sub-committee for which the dispensation is required.
- h A dispensation request shall confirm:
  - i. The description and nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. An explanation as to why the dispensation is sought.
- i **A dispensation may be granted in accordance with standing order 7(e) if having regard to**

**all relevant circumstances any of the following apply:**

- i. **Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
- ii. **Granting the dispensation is in the interests of persons living in the Council's area; or**
- iii. **It is otherwise appropriate to grant a dispensation.**

## **8 Questions**

- a A councillor may seek an answer to a question concerning any business of the Council provided 5 clear days' notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

## **9 Draft Minutes**

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iii) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, s/he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his/her view was not upheld by the majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”

- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- f **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

## 10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If, in the opinion of the Chair, there has been a breach of standing order 10(a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made under standing order 10(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 11 Previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 8 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## 12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This



process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

## 13 Execution and sealing of legal deeds

*See also standing order 3(b)(xiv) above*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under standing order 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## 14 Committees

*See also standing order 1 above*

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors**
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall appoint and determine the terms of office of members of such a committee;
  - v. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 5 days before the meeting that they are unable to attend;
  - vi. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 14(d)(v) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.
  - vii. Every committee shall at its first meeting before proceeding to any other business, elect a

Chair and may elect a Vice-Chair who shall hold office until the next committee meeting following the Annual Council meeting of the Council, and shall settle its programme of meetings for the year.

- viii. Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee, which, in both cases, shall be no less than three.
  - ix. Shall determine if the public may participate at a meeting of a committee in any agenda item.
  - x. Shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee.
  - xi. Shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend.
  - xii. May dissolve a committee or a sub-committee.
- e. The Chairman and Vice-Chairman, ex-officio, shall be voting members of every committee.

## **15 Extraordinary meetings of the council, committees and sub-committees.**

*See also standing order 1 above*

- a The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b If the Chair of the Council does not call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by a quorum of councillors from that committee, any two members of the committee (or sub-committee) may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the quorum of councillors.

## **16 Accounts and Financial Statement**

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioner’s Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the Council’s financial regulations, which shall be reviewed at least annually.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 20 June, 30 September and 31 December each year a statement to summarise:
  - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with the proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## 17 Responsible Financial Officer

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## 18 Financial Controls and Procurement

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public**

**Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**

- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

**f . Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

## **19 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his/her official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **20 Restrictions on Councillor Activities**

- a Unless duly authorised by Full Council, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions or
  - iii. make statements/decisions on outside bodies or other public meetings.

## **21 Matters affecting council employees**

- a If a meeting considers any matter personal to a council employee, it shall not be considered until the Parish Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(d) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chair of the Full Council or delegated staffing committee, or in his/her absence, the Vice-Chair of the Full Council or delegated staffing committee of any absence occasioned by illness or urgency and that person shall report such absence to the Council or delegated staffing committee at its next meeting.
- c The Chair of the Full Council or delegated staffing committee or in his/her absence, the Vice-Chair shall upon a resolution conduct a review of the performance and/or appraisal of all staff and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Full Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee, the Clerk, shall contact the Chair of the Full Council or delegated staffing committee or in his/her absence, the Vice-Chair, in respect of an informal or formal grievance

matter, and this matter shall be reported back and progressed by resolution of the Full Council or delegated staffing committee.

- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by [the employee's job title] relates to the Chair or Vice-Chair of the Full Council or delegated staffing committee, this shall be communicated to another member of the Full Council or delegated staffing committee, which shall be reported back and progressed by resolution of the Full Council or delegated staffing committee.
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g In accordance with standing order 22 (a), only persons with line management responsibilities shall have access to staff records referred to in standing order 21(f).

## 22 Management of Information

*See also standing order 23.*

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

## 23 Responsibilities to Provide Information

*See also standing order 22.*

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for**

information held by the Council.

- b *[If gross annual income or expenditure (whichever is higher) does not exceed £25,000]* The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

OR

*[If gross annual income or expenditure (whichever is the higher) exceeds £200,000]* The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

## 24 Responsibilities under Data Protection Legislation

(Below is not an exclusive list).  
*See also standing order 22.*

- a The Council shall appoint a Data Protection Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- c The Council shall have a written policy in place for responding to and managing a personal data breach.
- d The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f The Council shall maintain a written record of its processing activities.

## 25 Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## 26 Liaison with Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the Unitary Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter/electronic mail sent to the Unitary



Council shall be sent to the councillor representing its electoral ward.

## 27 Code of Conduct Complaints

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 22, report this to the Council.
- b Where the notification in standing order 27(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 27(d).
- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.**

## 28 Standing Orders Generally

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements shall be proposed by a special motion, the written notice of at least 8 councillors to be given to the Proper Officer in accordance with standing order 4.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.
- e A resolution permanently to add, vary or revoke a Standing Order which occur outside the Annual Council Meeting shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council.