



STANDING ORDERS

BASED ON:

MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022

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INTRODUCTION

This is version two of Model Standing Orders 2018 (England) updated on April 2022. Update to Model Standing Order 18 only.

HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes brackets like this '[]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

- 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 Chairman's direction for reasons of expedience.
- b Subject to standing orders (*Motions Requiring Written Notice 9(a)–(e)*), a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order (*Proper Officer 15(b) (ii)*), a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to *Standing Order Rules of Debate At Meetings 1(h)*, below, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j Pursuant to *Standing Order Rules of Debate 1(h)* below, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l 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.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding two minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to *Standing Orders 1(m) and (n)* above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p 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 he considers has been breached or specify the irregularity in the meeting he is concerned by.

- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to *Standing Order 1(o)* 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 to leave the meeting;
 - vi. to refer a motion to a committee or sub- gfr for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t In respect of *Standing Order 1(s)(iv)* above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

2. DISORDERLY CONDUCT AT MEETINGS

- 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 person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if
- c seconded, shall be put to the vote without discussion.
- d If a resolution made under standing order 2(b) is ignored, the chairman 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.

3. MEETINGS GENERALLY

Full Council meetings	●
Committee meetings	●
Sub-committee 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. Washington Parish Council Meetings take place at 7.30pm first Monday of the month (not including Bank Holidays). Committee meetings commence 7.00pm third Monday of the month

- b **The minimum three clear days for notice of a meeting does not include the day on which 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 of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), each ~~a~~ member of the public is entitled to speak once only in respect of the business itemised on the agenda and shall not speak for more than 2 minutes, but at the Chairman's discretion may be invited to contribute further if time allows.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i ~~[A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)]~~ OR [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 chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), 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.

- m A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- n The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- p The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- q 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.
- r The chairman 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 casting vote whether or not he gave an original vote.

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- s **Unless standing orders provide otherwise, voting on a 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 vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- t 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.

- u **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.**
- v **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**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- w **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.
- x Washington Parish Council Meetings shall terminate promptly by 10:00pm at which time the only business to be conducted shall be the fixing of the date and time of the next Meeting.

4. COMMITTEES, SUB-COMMITTEES AND ADVISORY COMMITTEES

- 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 (*Clerks' Note: see (d) below*)
- 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 (*Clerk's Note: see last item in this Standing Order 4*)
- d** The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such committees as may be necessary, and:
- i. may determine their terms of reference;
 - ii. may permit a committee to determine the dates of their meetings;
 - iii. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. the Proper Officer may appoint and determine the terms of office of the substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if the ordinary councillors of the committee confirm to the Proper Officer (3) days before the meeting that they are unable to attend;
 - v. may dissolve a committee or a sub-committee.
- e.** The Planning Committee shall have delegated powers to form responses to statutory planning applications received from the District Council, on behalf of the Council, and deal with other planning matters arising.
- c.** The Finance Committee functions are, in conjunction with the Clerk, to monitor the Council's income and expenditure in detail allocate funds to particular functions of the council (and responsible committee) and to formulate and recommend the following year's budget and precept. Any decisions relating to the precept levied must be taken by a meeting of Council.
- d.** The Committee dealing with allotments shall have delegated powers to manage the lettering/termination of the allotments.
- c.** All Committees will have the powers delegated by Council, and contained in their Terms of Reference.

Sub-Committees: Unless there is a Council resolution to the contrary, every committee may

appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

Advisory Committees:

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

5. ORDINARY COUNCIL MEETINGS

- 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 Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman 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 Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j **Following the election of the Chairman of the Council and Vice-Chairman (if there is**

one) of the Council at the annual meeting, the business shall include:

- i. **In an election year, delivery by the Chairman 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 Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**

and any of the following (*as stated in the adopted SOs*):

- ii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- iii. Review of the terms of reference for committees; receipt of nominations to existing committees
- iv. Appointment of members to existing committees;
- v. Appointment of any new committee; ,-confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them
- vi. Review and adoption of appropriate standing orders and financial regulations;
- vii. Review of arrangements (including any charters) with other local authorities.and review of contributions made to expenditure incurred by other local authorities
- viii. Review of representation on or work with external bodies and arrangements for reporting back;
- ix. In an election year, if a Council's period of eligibility to exercise the General Power of Competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- x. Review of inventory of land and register of assets including buildings and office equipment;
- xi. Review and Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xii. Review of the Council's and/or staff memberships to other bodies;
- xiii. Establishing or Review of the Council's complaints procedure;
- ~~xiv.~~ Establishing or Review of the Council's procedures for handling requests made under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xv. Establishing or review of the Council's policy for dealing with the press/media;
- xvi. Determining the time and place of ordinary meetings of the Council for the year ahead

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee (or the sub-committee) at any time.
- d If the chairman of a committee(or a sub-committee) does not call an extraordinary meeting within (7) days of having been requested to do so by (3) councillors, those 3 councillors may convene an extraordinary meeting of the committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 3 councillors.

7. PREVIOUS RESOLUTIONS

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof bears the names of councillors of the Council present, 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 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. VOTING ON APPOINTMENTS

- a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the Chairman.
- b Voting on the election of the Chairman and Vice-Chairman and Co-option of new Councillors will be by written ballot, if requested by a majority.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE

- a Every-A motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or an issue which specifically affects the Council's area or its residents-
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least (7) clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman 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 in the agenda or rejected.
- f Having consulted the Chairman or councillors pursuant to standing order 9(e) above, The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Notice of every Motions received in accordance with the Council's standing orders shall be numbered in the order that they are received and shall be open to inspection by all councillors.
- h Motions rejected in accordance with the Council's standing orders shall be recorded with a note by the Proper Officer of the reason for rejection, which shall be open to inspection by all councillors.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

a The following motions may be moved at a meeting without written notice: *(clauses I-xxvi and b are as they appear in the adopted standing orders)*

- i. To appoint a person to preside at a meeting.
- ii. To approve the absences of councillors.
- iii. To approve the accuracy of the minutes of the previous meeting.
- iv. To correct an inaccuracy in the minutes of the previous meeting.
- v. To dispose of business, if any, remaining from the last meeting.
- vi. To alter the order of business on the agenda for reasons of urgency or expedience.
- vii. To proceed to the next business on the agenda.
- viii. To close or adjourn debate.

- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed.
(See standing orders *Executing of Legal Deeds* 23(a) and (b))
 - xvii. To authorise the payment of monies.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. 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 Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

- 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.

12. DRAFT MINUTES

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a If the draft minutes of a preceding meeting have been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order (iv)
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the (Washington Parish Council) held on [date] in respect of (item) were a correct record but his view was not upheld by the majority of the members and the minutes are confirmed as an accurate record of the proceedings."

- e **If the Council's gross annual income or expenditure (whichever is Freed 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. *This was not included in adopted SOs and is mandatory***
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- f Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u) (Meetings Generally).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he 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 has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he 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 has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d Councillors, or Councillors who have a partner with a personal, prejudicial or pecuniary interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.* Amended and adopted 05.11.12 to reflect the revised Code of Conduct following the Localism Act 2011 .

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. A dispensation request shall confirm:

- i. the description and the 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.

h. Subject to standing orders 13(e) and (g), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.

I. A dispensation may be granted in accordance with standing order 13 (f) 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.**

14. CODE OF CONDUCT COMPLAINTS

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Monitoring Officer of the District Council for advice.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e Standing order 14(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f The committee shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.
- h **Upon notification by the District or Unitary Council that a councillor or 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. Such action excludes disqualification or suspension from office.**

15. 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 Proper Officer shall:

- 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), and**
 - **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 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection (website);

- viii. Keep proper records required before and after meetings
- ix. Process all requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- x. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xii. manage the organisation, storage and access to information held by the Council in paper and electronic form
- xiii. Sign any documents requiring signature by the Proper Officer or arrange for legal deeds to be signed by two councillors and witnessed when this is a requirement of law (*see also standing order 23a*)
- xiv. arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xv. refer a planning application notified to the Council to a member of the Planning Committee where possible within two working days of it being received.
- xvi. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] OR [Chairman or in his absence Vice-Chairman (if there is one) of the (Planning) Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [(Planning) committee];
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(*see also standing order 23*).

16. ACCOUNTS AND FINANCIAL STATEMENTS

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed from time to time
- b. The Responsible Financial Officer shall supply to each councillor at the Annual Parish Council Meeting and prior to the precept each year a statement summarising the Council's receipts and payments and the balances held. This statement should include a comparison with the budget for the financial year in December. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, or required by statute which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the internal auditor 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).**
NALC update April 2022 adopted APCM 6th May 2022.
- d. Any formal tender process shall comprise 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 is bound to accept the lowest value tender, estimate or quote.

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.**

e. Contracts that have an estimated value of less than £25,000

- i. For works not exceeding £250.00 the Clerk shall have the discretion to place such work.
- ii. For works exceeding £250.00 but not exceeding £1,000 an estimate to be obtained to be presented to the Council for approval.
- iii For works exceeding £1,000 but not exceeding £60,000

Three estimates shall be obtained from persons suitably experienced/qualified bearing in mind the nature of the work required to be presented to the Council for approval

18. MATTERS AFFECTING COUNCIL EMPLOYEES

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Chairman or Vice Chairman at its next meeting.
- c The Chairman of the committee designated by the Council OR the sub-committee or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of post 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 Full Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman or in his absence, the Vice-Chairman of in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Full Parish Council.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by employee relates to the Chairman or Vice-Chairman this shall be communicated to another member, which shall be reported back and progressed by resolution of the Full Parish Council.

- 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 The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to (post holder) and/or the Chairman of the Council OR [the designated committee] OR [the sub-committee].

19. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21

- 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.**
- c All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- d Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer or the Chairman . The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under *Standing Order 15(b)(ix) (Role of Proper Officer)*

20. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list). See also standing order 11 (Management of Information).

- a The Council may 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.**

21. RELATIONS WITH THE PRESS/MEDIA

- a. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b. In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

22. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xiii) and (xviii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures

The above is applicable to a Council without a common seal.

23. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County Council representing its electoral ward.
- b A copy of each letter sent to the District and County Council shall be sent to the District

24. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a Unless authorised by a resolution, 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.

25. 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 permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.
- c. The Proper Officer shall provide a copy of the Council's Standing Orders to all councillors
- d. The Chairman's decision as to the application of standing orders at meetings shall be final
- e. A councillor's failure to observe standing orders more than three times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

26. CONFIDENTIAL BUSINESS

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

27. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

- a Canvassing councillors or the members of a committee or sub-committee, directly

or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment

or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

28. 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 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

30. QUESTIONS

- a. A councillor may seek an answer to a question concerning any business of the Council provided three clear days' notice of the question has been given to the Proper Officer prior to a meeting of the Council.

31 EXPENDITURE

- a Orders for the payment of money shall be authorised by the Council and cheques signed by two members, the Council may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.
- c The Clerk will advise Full Council of all payments made by debit card at the next meeting of Full Council. Authorisation of payment by debit card shall be recorded in the minutes of the meeting.
- d The Council's Financial Regulations shall be reviewed once a year

32.BUDGETS & PRECEPTS

- a The Council shall approve budgets for the coming financial year at its meeting before the end of January, or as required.

- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

***Reviewed with amendments adopted at the Annual Parish Council Meeting on
9th May 2022***