



# **STANDING ORDERS**

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Section 10i – added in committees to determine working groups terms of reference if sat under the committee

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# STANDING ORDERS

(Standing Orders in **bold** type are law)

## A. Rules of Debate at Meetings

- a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c) A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 is a proposal to remove or add words to a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g) 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.
- h) A councillor may move an amendment to his/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 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 1(k), 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 of the meeting considers this expedient but each amendment shall be voted upon separately.
- l) A councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) 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.
- o) 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/they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p) During the debate on 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/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q) A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- r) When a 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 no longer heard or 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; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s) 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/their right of reply.
- t) Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed ( ) minutes without the consent of the chair of the meeting.

## 1. 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 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 or an organisation 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 1e above shall not exceed 15 minutes unless directed by the Chairman of the meeting.
- g) Subject to Standing Order 1f above, each member of the public or organisation shall not speak for more than three minutes. If more than one member of public wishes to speak on the same topic, then they should nominate one person on their behalf. This will avoid duplication and make best use of the public participation period. Neither councillors nor the clerk should be put under pressure to respond immediately to comments made under public participation. All persons present will act respectfully towards those present and will not act in a manner that demeans, insults, threatens, or intimidates. All statements, questions and responses, challenges to statements, complaints, or criticism should be made politely and with respect in-line with the civility and respect pledge.
- h) In accordance with Standing Order 1e above, 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 and may call on a councillor or officer to respond. There should be no debate or discussion between the council and the public.
- i) **Subject to standing order 1(j), 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.**
- j) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- k) **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.**
- l) A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any councillor and, if proposed by the Chairman may be put to the vote without being seconded, and shall be put to the vote without discussion.
- m) At all meetings of the Council, the Chairman may at their 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 meetings in relation to the business to be transacted at that meeting.

- n) Non-committee members are not permitted in a closed session unless the committee has resolved to invite them to do so.
- o) Council staff are not permitted in a closed session (excluding the clerk(s) clerking the meeting), unless the Council/committee has resolved to invite them to do so.

## **2. Statutory Annual Parish Council Meeting**

- 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 that 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) **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.**
- e) **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.**
- f) **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.**
- g) **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.**
- h) **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.**
- i) Following the election of the Chairman and Vice-Chairman of the Council at the annual meeting of the council, 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**
  - ii. Set a schedule for the year to review and approve all the Councils policies, procedures and Asset Register as documented in the Council's Policies, Procedures

#### & Governance Documentation

- iii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities
- iv. Review of representation on, or work with, external bodies and arrangements for reporting back
- v. Confirmation of arrangements for insurance cover in respect of all insurable risks.
- vi. Review of the Council's and/or staff subscriptions to other bodies
- vii. To consider the payment of any annual subscriptions
- viii. To agree the date of ordinary meetings and Committee meetings up to and including the next annual meeting of the Council
- ix. To inspect any deeds and trust investments in the custody of the Council as required.
- x. Appointment of members to existing committees
- xi. Appointment of any new committees in accordance with standing order 10.
- xii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses
- xiii. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence
- xiv. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 19, 20 and 21*)
- xv. 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

### 3. Ordinary Meetings

- a) **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.**
- b) Ordinary full Council meetings shall normally be held on the first Wednesday in each month.

### 4. Extraordinary Meetings

- 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 a sub-committee, at any time.
- d) If the Chairman of a committee, or a sub-committee, does not, or refuses to, call an extraordinary meeting within 14 days of having been requested to do so by two councillors of the committee, any two councillors of the sub/committee may convene an extraordinary

meeting of a sub/committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by two councillors.

## 5. Chairman

- a) **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).**
- b) **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman (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.**
- c) The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- d) Councillors shall address the Chairman. If two or more councillors wish to speak, the Chairman shall decide who to call upon.
- e) Whenever the Chairman speaks during a debate all other councillors shall be silent.

## 6. Quorum

- a) **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.**
- b) Five councillors shall constitute a quorum at meetings of the Council but where more than one-third of the councillors are disqualified at the same time the quorum is either three or one-third of the qualified councillors whichever is the greater, until such time as the membership has been increased to not less than two-thirds of the total.
- c) **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.
- d) **Three councillors shall constitute a quorum at meetings of a Committee.**

## 7. Voting

- a) **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.
- b) **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.**
- c) **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.**

- d) **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.**

## **8. Resolutions**

- a) Except as provided by these Standing Orders, no resolution may be moved at a meeting unless it is on the agenda.
- b) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.
- c) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- d) All motions shall be proposed; and once the chairman of the meeting is satisfied that the motion has been sufficiently debated, it shall be put to the vote.
- e) No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialed by the Chairman.
- f) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- g) When a motion moved under Standing Order 8e has been disposed of, no similar motion may be moved within a further six months.

## **9. Minutes**

- a) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.
- b) 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.
- c) 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 8e above.
- d) 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.
- e) Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

- f) The minutes of a meeting shall include an accurate record of the following:
  - a. The time and place of the meeting
  - b. The names of councillors who are present and the names of councillors who are absent
  - c. Interests that have been declared by councillors and non-councillors with voting rights
  - d. The grant of dispensations (if any) to councillors and non-councillors with voting rights
  - e. Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered
  - f. If there was a public participation session, and
  - g. The resolutions made
  
- g) 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 ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.’

## 10. 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.**
  
- 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 at its Annual Parish Council Meeting appoint standing committees and may at any other times appoint such other committees as are necessary,
  
- e) It shall not appoint any member of a committee so as to hold office later than the next Annual Parish Council Meeting.
  
- f) The Chairman and Vice-Chairman shall be voting members of every committee.
  
- g) Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Parish Council Meeting and shall determine the number and time of its meetings.
  
- h) The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other

business shall be transacted at that meeting.

- i) The Council shall determine the terms of reference of committees. Where working groups sit under a committee, the committee shall determine the terms of reference for the working group
- j) The Council may dissolve a committee or alter the membership of committee.
- k) A councillor who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
- l) Members of committees entitled to vote, shall vote by show of hands, or, if at least two members request, by signed ballot. Any member may request a recorded vote.
- m) The Chairman of a committee shall in the case of an equality of votes have a second or casting vote.

## 11. Working Groups

- a) Every committee may appoint working groups for purposes to be specified by the committee.
- b) The Chairman and Vice-Chairman of the committee shall be members of every working group appointed by it unless they signify that they do not wish to serve.

## 12. Proper Officer

- a) The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The proper officer shall:
  - i. **At least three clear days before a meeting of the Council, a committee or a sub-committee**
    - a. **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**
    - b. **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).**
  - ii. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**
  - iii. **Facilitate inspection of the minute book by local government electors;**
  - iv. **Receive and retain copies of byelaws made by other local authorities.**
  - v. Send an invitation and agenda to attend a meeting of the Council to the District and County Councillors representing the area.
  - vi. Hold Acceptance of Office forms from councillors.
  - vii. Hold a copy of every councillors Register of Interests.
  - viii. 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.
  - ix. Liaise, as appropriate, with the Council's Data Protection Officer (if there is one)
  - x. Sign notices or other documents on behalf of the Council.

- xi. Keep proper records for all Council meetings.
- 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 requirements (e.g. the Limitation Act 1980).
- xiv. Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- xv. Arrange for legal deeds to be executed.
- xvi. Manage access to information about the Council via the publication scheme.

### **13. 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) 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 excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made under Standing Order 13b above 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.

### **14. Code of Conduct and Dispensations**

See also Standing Order 7c.

- a) All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the council.
- b) 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 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/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 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) **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.
- e) 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.

- f) 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.
- g) Subject to Standing Orders 14d and 14f above, dispensation requests shall be considered at the beginning of the meeting of the Council, or committee or a sub-committee for which the dispensation is required.
- h) **A dispensation may be granted in accordance with Standing Order 14e above if having regard to all relevant circumstances any 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.**

## 15. Code of Conduct Complaints

- a) Upon notification by the District 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 17 below, report this to the Council.
- b) Where the notification in Standing Order 15a above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman 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 15d below.
- 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 District 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. Such action excludes disqualification or suspension from office.**

## **16. Restriction on Councillor Activities**

- a) Unless authorised by a resolution, no councillor shall:
  - i. Inspect any lands or premises which the Council has a right or duty to inspect; or
  - ii. Issue orders instructions or directions unless authorised to do so by the Council or the relevant committee.

## **17. Confidential Business**

- a) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **18. Handling Staff Matters**

- a) A matter personal to a member of staff that is being considered by a meeting of the Council or a committee is subject to Standing Order 17 above.
- b) Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

## **19. Management of Information**

- 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.**

## **20. Responsibility to Provide Information**

- e) 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.
- f) The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

## **21. Responsibilities Under Data Protection Legislation**

- 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.

## **22. 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.

## **23. Financial Matters**

- 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.

"Proper practices" in Standing Orders refer to the most recent version of "*Governance and Accountability for smaller local authorities in England – a Practitioners' Guide*".

- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- c) The Responsible Financial Officer shall supply to each councillor prior to each finance meeting:

- i. The council's income and expenditure for the month,
  - ii. The council's aggregate income and expenditure for the year to date,
  - iii. The balances held at the end of the month being reported, and
  - iv. A comparison with the budget for the financial year, highlighting 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 income and expenditure for the last month and the year to date, for information; and
  - ii. To the Council the accounting statements for the year in the form of Section 2 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 proper practices and apply the form of accounts determined by the council (income and expenditure) for a year to 31 March.
- f) 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.

## 24. 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 keeping of 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 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.
  - 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 in standing order 24(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 online/in a 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.**

## 25. Execution and Sealing of Legal Deeds

- a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b) **Subject to standing order 25(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signature.**

## 26. Standing Orders Generally

- a) All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 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 by at least 2 councillors to be given to the Proper Officer.

- 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.

Based on NALC (2022) Model Standing Orders 2018 for England (Updated April 2022)