

Radford Semele Parish Council



Standing Orders

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Standing Orders

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INTRODUCTION

When referring to these standing orders, those orders that are in **bold type** contain legal and statutory requirements.

1. 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 chairman of the meeting.
- b. a motion (including 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- c. a motion on the agenda that is not moved by its proposer may be treated by the chairman as withdrawn.
- d. if a motion (including amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 becomes the substantive motion upon which further amendments 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 chairman of the meeting is expressed in writing to the chairman.
- h. a councillor may move an amendment to his 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 chairman.
- j. subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k. one or more amendments may be discussed together if the chairman 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 of 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 chairman 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 last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation;
 - v. in exercise of a right of reply.
- p. during the debate of a motion, a councillor may interrupt only on appoint of order or a personal explanation and the councillor who is 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 other irregularity in the proceedings of the meeting he is concerned by.
- q. a point of order shall be decided by the chairman of the meeting and his 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 the 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;
 - ix. to suspend particular standing orders excepting those which reflect mandatory statutory requirements.



- s. before an original or substantive motion is put to the vote, the chairman 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 right of reply.
- t. excluding motions moved understanding order 1 (r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

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 persons to moderate their conduct.
- b. if persons 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 2(b) 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.



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 reasonable cost.**
- b. **the minimum three days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a day of the Christmas break, a day of the Easter break, 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 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 all or part of a meeting shall be by 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) above shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g. subject to standing order above a member of the public shall not speak for more than 5 minutes.
- h. in accordance with standing order 3(e) 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.
- i. a person shall raise his hand when requesting to speak. The person may remain 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 to be 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. photographing, recording, broadcasting or transmitting by any means is not permitted without the Council's prior written consent. **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.**
- p. **the Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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 meeting being quorate, all questions at a meeting shall be decided by a majority of councillors or councillors with voting rights present at the meeting.**
- r. **the chairman of a meeting may give an original vote on any matter put to the vote, and in case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- 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 present and absent;
 - iii. Interests that have been declared by councillors and non-councillors with voting rights;
 - iv. Whether a councillor or non-councillor with voting rights left the meeting when matters that they had interests in were being considered;
 - v. If there was a public participation session; and
 - vi. The resolution made.
- **u. A councillor or non-councillor with voting rights who has a**
 - **disclosable 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 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.**
- **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. a meeting shall not exceed a period of 2 hours unless agreed by all present at the meeting that the period should be extended for a specified period of further time.



4. COMMITTEES AND SUB-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 sub-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 members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d. the council may appoint standing committees or other committees as may be necessary, the minimum being Finance Committee, Planning Committee and Playing Field Committee, and: -
 - i. shall determine their terms of reference;
 - ii. may determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. may permit a committee, other than in respect of the ordinary meetings if a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
 - v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;
 - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a committee;



- x. shall determine if the press and public are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend;
- xii. may dissolve a committee or sub-committee.



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 new 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 may direct.**
- c. **if no other time is fixed, the annual meeting of the council shall take place at 7:30 p.m.**
- d. **in addition to the annual meeting of the council, at least 3 other ordinary meetings shall be held in each year on such dates and times as the council may direct.**
- e. **the first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the council.**
- f. **the chairman of the council, unless he has resigned 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. **the vice-chairman of the council, if any, 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 has not been re-elected as a member of the council, he shall preside at the 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 must give a casting vote in the event 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 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 must give a casting vote in the event of an equality of votes.**
- j. following the election of the chairman of the council and the vice-chairman (if any) of the council, the business of the annual meeting 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 forms unless the council resolves for this to be done at a later date;

- ii. confirmation of the accuracy of the minutes of the last meeting of the council;
- iii. receipt of the minutes of the last meeting of a committee;
- iv. consideration of recommendations made by a committee;
- v. review of delegation arrangements to committees, sub-committees' staff and other local authorities'
- vi. review of the terms of reference for committees;
- vii. appointment of members to existing committees;
- viii. appointment of any new committees in accordance with standing order 4 above;
- ix. review and adoption of appropriate standing orders and financial regulations;
- x. review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi. review or representation on or work with external bodies and arrangements for reporting back;
- xii. 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;
- xiii. review of inventory of land and assets including buildings and office equipment;
- xiv. confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. review of the council's and/or staff subscriptions to other bodies;
- xvi. review of the council's complaints procedure;
- xvii. review of the council's procedures for handling requests made under the freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. review of the council's policy for dealing with the press/media;



- xix. determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of the full council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL AND 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 want or refuses to call an extra ordinary meeting of the council within 7 days of having been requested in writing to do so by any 2 councillors, any 2 councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the 2 councillors.**
- c. the chairman of a committee (or sub-committee) may Convene an extra ordinary meeting of the committee (or sub-committee) at any time
- d. if the chairman of a committee (or sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee (or sub-committee) any 2 members of the committee (or sub-committee) may convene an extraordinary meeting of the committee (or sub-committee).

7. PREVIOUS RESOLUTIONS

- a. a resolution shall not be reversed within 6 months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Clerk in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or sub-committee.
- b. when a 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 2 persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, this process shall continue until a majority of votes is given in favour of one, a tie in votes may be settled by the casting vote exercised by the chairman of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER/CLERK

- a. a motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council 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 the 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 submits it in writing to the Proper Officer so that it can be understood at least 3 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 maybe, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. subject 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. motions received or rejected shall be recorded in the Minutes of the meeting where raised.
- h. motions rejected shall be recorded with an explanation by the Proper Officer.



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

- a. prior notice is not necessary, but the acceptance of a motion is at the discretion of the Chairman and / or the Proper Officer, the following motions may be moved at a meeting without written notice to the Clerk (Proper Officer): -
- i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential sensitive information or other information which is prejudicial to the public interest;
 - xii. to not to hear further from a councillor or member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements).
 - xvi. to adjourn a meeting; or
 - xvii. to close the meeting.

11. 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 or GDPR).**
- 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 served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b 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 10(a)(i).
- 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 () 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.”
- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following 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.



13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u)

- a. all councillors 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 has 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 a personal interest; this is one which relates to or is likely to affect his/her interest whether or not it is an interest that the councillor must register (e.g. where the well-being or financial interest of the councillor's family or are likely to be affected by the council's business). The councillor may return to the meeting after it has considered the matter in which he/she had an interest.
- d. dispensation requests shall be submitted in writing to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which dispensation is required.
- e. A decision as to whether a dispensation shall be granted shall be made by the Proper Officer who shall take all the circumstances into account.
- f. a dispensation request shall confirm: -
 - i. the description and nature of the disclosable interest concerned;
 - ii. whether the dispensation is required to take part in a discussion only and/or vote;
 - iii. the date of the meeting or the period (not exceeding 4 years) for which the dispensation is sought;
 - iv. an explanation as to why the dispensation is sought.
- g. Subject to standing orders 13(d) and (f), dispensation requests shall be considered by the Clerk before the meeting to which they relate, or if not possible, then before the start of the relevant meeting of the council or committee/sub-committee as the case may be.
- h. **a dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:**



- i. without dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting for transacting the business as to impede the transaction of the business or**
- 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 AND COMPLAINTS

- a. upon notification by the District Council that it is dealing with a complaint that a councillor has breached the council's code of conduct the Clerk shall (subject to standing order 11 above) report this to the council.
- b. where the above notification relates to a complaint made by the Clerk he shall notify the chairman of the council of this fact, and the chairman shall nominate someone else to assume the duties of the Clerk in relation to the complaint until it has been determined and the council has agreed what action, if any, to take .
- c. the council may: -
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d. that upon notification by the District Council a councillor has breached the council's code of conduct the council shall decide what action, if any, is to be taken against him. Such action excludes disqualification or suspension from office.



15. THE PROPER OFFICER/ CLERK

The Proper Officer shall be the Clerk, or such other person nominated by the council to undertake the work of the Proper Officer in the latter's absence.

The Proper Officer shall: -

- i. at least 3 clear days before a meeting of the council, a committee and a sub-committee
 - serve on councillors a summons, by email, confirming the time, date and place and agenda provided any such contains the electronic signature of the Clerk;
 - give public notice of the time, place and agenda at least 3 clear days before a meeting of the council or a meeting of a committee. PROVIDED that a public notice with agenda of an extraordinary meeting 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 above, include on the agenda all motions in the order received unless has given notice at least 3 clear days before the meeting confirming that he has withdrawn the motion;
- 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. retain copies of acceptance of office forms from councillors;
- vii. retain a copy of every councillor's register of interests;
- viii. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998 in accordance with and subject to the council's policies and procedures and GDPR relating to the same;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);



- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of access to and destruction of information held by the council in paper and electronic form;
- xii. arrange for legal deeds and documents to be executed; (see also standing order 23);
- xiii. arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority;
- xv. refer a planning application received by the council to the chairman or in his absence the vice-chairman of the Planning Committee as soon as possible if the nature of the planning application requires consideration before the next ordinary meeting of the Planning Committee;
- xvi. manage access to information about the council via the council's website and notice board.
- xvii. Retain custody of the seal of the Parish Council which shall not be used without a resolution to that effect.

16. RESPONSIBLE FINANCIAL OFFICER

- a. the work of the Responsible Financial officer shall be carried out by the Clerk.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a. proper practices in standing orders refer to the most recent version of "Governance and Accountability for Local Councils — a Practitioner's Guide."
- b. all payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the Parish Council's financial regulations.
- c. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:



- i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. as soon as possible after the financial year end on 31st March, the Responsible Financial Officer shall provide to the full council;
 - i. a statement summarising the Council's receipts and payments for the last quarter of the year to date for information; and
 - ii. the accounting statements for the year in the form of Section I of the Annual 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 applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft return shall be presented to all councillors before the end of the following month of May. The Annual Governance and Accountability Return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30th June.



18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and /orders of payments;
 - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £10,000.
- b. financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.
- 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:
 - 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 tenders
 - (iv). The prohibition on prospective contactors contacting councillors or staff to encourage or support their tender outside the prescribed process



- (v). Tenders are to be submitted in writing in a sealed marked addressed to the Clerk.
 - (vi). Tenders shall be opened by the Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed
 - (vii). Tenders are to be reported to and considered by the appropriate meeting of the council.
- e. The council is not bound to accept the lowest value tender
 - f. where the value of a contract is likely to exceed £138,893, or other threshold specified by the Office of Government Commerce from time to time, the council must consider whether the Public Contracts Regulations 2006/S.I. no 5 amended and the Utilities Contract Regulations 2006/S.I. no 6 as amended apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.

19. HANDLING STAFF MATTERS

- a. a matter personal to a member of staff that is being considered by a meeting of council is subject to Standing Order 11 above.
- b. The chairman of the Finance Committee or in his absence the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and subject to approval by a resolution by the Finance Committee.
- c. subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman or vice-chairman of the Finance Committee this shall be communicated to another member of the council which shall be reported back the council and progressed by resolution of the council.
- d. any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- e. the council shall keep all written records relating to employees secure. All paper records shall be secured, and locked and electronic records shall be password protected.
- f. only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 19(d) and (e) above if so justified.



20. REQUESTS FOR INFORMATION

- a. requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the chairman of the council. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000. The Clerk shall maintain the data handling registration of the council with the Information Commissioner.

21. RESPONSIBILITIES UNDER DATA PROTECTION ACT

The below list is not exhaustive. See also standing order 11

- 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 oral/written comment shall be handled only by the chairman and/or the Clerk.

23. EXECUTION AND SEALING OF LEGAL DOCUMENTS

- a. a legal deed or document shall not be executed on behalf of the council unless authorised by a resolution.
- b. subject to Standing Order 22(a) above, any two councillors may sign on behalf of the council, any deed or document required by law and the Clerk shall witness their signatures.



24. COUNTY / DISTRICT COUNCILLORS

An invitation to attend meetings of the council shall be sent with agendas and draft minutes of the last meeting to ward councillors for the parish area of the council.

25. RESTRICTIONS ON COUNCILLOR ACTIVITY

Unless authorised by resolution no councillor shall inspect any land/premises or seek to issue orders/directions in respect of them

26. STANDING ORDERS GENERALLY

- a. all or part of a standing order, except one that incorporates mandatory 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 requirements, shall be proposed by special motion, the written notice by at least 3 councillors, to be given to the Clerk in accordance with standing order 9 above.
- c. the Clerk shall provide a copy of the council's standing orders to a councillor as soon as possible after has delivered his acceptance of office form.
- d. the decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.