



Standing Orders

RE-ADOPTED MAY 2020

**(based on NALC Revised Model Standing
Orders (England) 2018 and
incorporating Forest Row Parish Council
amendments adopted November 2016)**

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INTRODUCTION

These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

HOW TO USE 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.

1. RULES OF DEBATE AT MEETINGS

- a. The agenda shall specify the subject items to be discussed at the meeting and indicate the issues for decision by the meeting.
- b. Subject items 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.
- c. No subject item shall be discussed at a meeting unless it appears on the agenda.
- d. Any member of the meeting may make a proposal to resolve an issue for decision within a subject item, in the course of discussing that subject item.
- e. The chairman of the meeting may rule on whether the proposal is relevant to the issue for decision and the ruling of the chairman shall be final.
- f. Any other member of the meeting may then put forward a counter-proposal, whether by way of removing words from or adding words to a proposal, or as an alternative substantive resolution of the issue for decision.
- g. The chairman of the meeting may rule on whether a counter-proposal is relevant to the issue for decision and the ruling of the chairman shall be final.
- h. No proposal or counter-proposal shall be progressed unless it has been proposed and seconded.
- i. If a proposal or counter-proposal has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- j. A member of the meeting may put forward a counter-proposal to his own proposal if agreed by the meeting. If the proposal has already been seconded, the counter-proposal shall be with the consent of the seconder and the meeting.
- k. If there is more than one counter-proposal to an original proposal the counter-proposals shall be dealt with in the order directed by the chairman.
- l. Subject to standing order 1(m) below, only one counter-proposal shall be put forward and debated at a time, the order of which shall be directed by the chairman of the meeting.
- m. One or more counter-proposals may be discussed together if the chairman of the meeting considers this expedient but each counter-proposal shall be voted upon separately.
- n. A member of the meeting may not put forward more than one counter-proposal to an original or substantive proposal.
- o. The member of the meeting putting forward a proposal or a counter-proposal shall have a right of reply not exceeding five minutes at the end of debate on it.
- p. Where a series of counter-proposals to an original proposal are carried, the member of the meeting who put forward the original proposal shall have a right of reply either at the end of debate of the first counter-proposal or at the very end of debate on the final substantive proposal immediately before it is put to the vote.

q. All interventions shall be made through the chairman, and members of the meeting shall not address each other directly in the course of the discussion of a subject item.

r. Unless permitted by the chairman of the meeting, a member of the meeting may speak once in the debate on a proposal except:

- i. to speak on a counter-proposal put forward by another member of the meeting;
- ii. to speak on another counter-proposal if there has been a counter-proposal to the original proposal since he last spoke;
- iii. to make a point of order;
- iv. to give a personal explanation; or
- v. in exercise of a right of reply.

s. During the debate of a proposal, a member of the meeting may interrupt only on a point of order or a personal explanation and the member who was interrupted shall stop speaking. A member of the meeting 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.

t. A point of order shall be decided by the chairman of the meeting and his decision shall be final.

u. When a proposal is under debate, no other proposal shall be put forward except:

- i. a counter-proposal to the proposal under debate;
- ii. to proceed to the next business;
- iii. to adjourn the debate;
- iv. to put the proposal to a vote;
- v. to ask a person to be no longer heard or to leave the meeting;
- vi. to refer a proposal 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 requirements.

v. Before a proposal is put to the vote, the chairman of the meeting shall be satisfied that the proposal has been sufficiently debated and that the member of the meeting putting forward the proposal under debate has exercised or waived his right of reply.

w Excluding proposals under standing order 1(u) above, the contributions or speeches by a member of the meeting shall relate only to the proposal under discussion and shall not exceed 2 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 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 seconded, shall be put to the vote without discussion.
- c 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.**
- 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.**

Such business may include (the list is not exhaustive):

- i. Engagement, terms of service, conduct and dismissal of employees
- ii. Terms of tenders, proposals and counter-proposals in negotiation for contracts

- iii. Preparation for cases in legal proceedings
 - iv. Early stages of any dispute
-
- 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 10 minutes unless directed by the chairman of the meeting.
 - g Subject to standing order 3(f), a member of the public shall not speak for more than 2 minutes.
 - 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 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 6(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 Any business which the Chairman deems to be urgent shall be put to the meeting to decide if it so qualifies and if agreed, shall be decided on.

y A meeting shall not exceed a period of 2½ hours.

4. COMMITTEES, SUB-COMMITTEES, ADVISORY COMMITTEES/ WORKING GROUPS

- 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.**
 - i. *[deleted July 2018]*
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council. Meeting dates and times may be altered by the Chairman, and in his/her absence by the Vice-Chairman, of the relevant committee.
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, 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 5 days before the meeting that they are unable to attend;
 - vi. Except where ordered by the Council in the case of a committee, or by the Council or appropriate committee in the case of a sub-committee, shall be one third of its members, rounded down in the case of an odd number.
 - vii. The Chairman and Vice-Chairman of the Council shall be members of every committee.
 - viii. The Finance & Policy Committee shall consist of Chairmen and Vice-Chairmen of the standing committees of the Council and a maximum of two other members of the Council if the Chairman and Vice Chairman of the Council are represented on the Committee by reason of another appointment.
 - ix. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - x. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - xi. 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;
 - xii. shall determine if the public may participate at a meeting of a committee;
 - xiii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - xiv. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xv. may dissolve a committee or a sub-committee.
- e Any member who has put forward a proposal which has been referred to any committee of which he is not a member, may explain his proposal to the committee but shall not vote.

5. PLANNING APPLICATIONS

- a. Meetings: A meeting of the Planning Committee shall be convened every three weeks unless the Clerk, or in the absence of the Clerk, the Assistant Clerk, after consultation with the Chairman of the Committee, considers the nature of the business to be insufficient to convene a meeting.
- b. Recommendations: The recommendations of the Planning Committee shall be made direct to the District Council on behalf of the Council, and shall be included in the Planning Committee's report to the Council.
- c. Site Visits: Reasonable efforts to be made by the Clerk or Assistant Clerk to contact members of the Planning Committee, not present at the meeting, to notify them of proposed site visits unless the visit is held immediately following the Planning Committee meeting.
Simple Plans: Comments to the local Planning Authority on simple plans with no objections from neighbouring residents can be made by the Clerk, or in the Clerk's absence, the Assistant Clerk, under Delegated Powers without calling a Planning Committee meeting. Such delegation to be exercised after consultation with the Chairman or Vice-Chairman of the Planning Committee.

6. 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;**
 - 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 the 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;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - xi. Review of 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 other assets including buildings and

- office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insurable 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 policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
 - xviii. Review of the Council's policy for dealing with the press/media;
 - xix. Review of the Council's employment policies and procedures;
 - xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
 - xxi. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

7. 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 councillor members of the committee or the sub-committee, any 3 councillor members of the committee or the sub-committee 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..

8. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

9. 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 of the meeting.

10. PRIOR NOTICE OF SUBJECT ITEMS OR ISSUES FOR DECISION

- a. Pursuant to Standing Order 1(d) above, any member of a meeting may make a proposal to resolve an issue for decision within a subject item, in the course of discussing that subject item at the meeting.
- b. Any councillor shall be entitled to propose a subject item to be discussed at a future meeting, and indicate the issue(s) which they consider are for decision by the meeting.
- c. Any such proposal of a subject item to be discussed at a meeting, or indication of an issue for decision within a subject item 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's area or its residents.
- e. No such proposal either of a subject item to be discussed at a meeting, or indication of an issue for decision within a subject item may be put forward unless the person putting it forward has given written notice of its wording to the Proper Officer at least 7 working days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

- f. The Proper Officer may, before including a subject item to be discussed at a meeting, or indication of an issue for decision, correct obvious grammatical or typographical errors in the wording of the proposal.
- g. If the Proper Officer considers the wording of a subject item to be discussed at a meeting, or indication of an issue for decision is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 working days before the meeting.
- h. If the wording or subject of a subject item to be discussed at a meeting, or indication of an issue for decision is considered unlawful or 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.
- i. Subject to standing order 10(h) above, the decision of the Proper Officer as to whether or not to include on the agenda any such subject item to be discussed at a meeting, or indication of an issue for decision shall be final.

11. PROPOSALS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a. The following proposals may be moved at a meeting without written notice to the Proper Officer;
- i. to approve a person to preside at a meeting;
 - ii. to approve the absences of councillors;
 - iii. to consider urgent business at the discretion of the Chairman;
 - iv. to approve the accuracy of the minutes of the previous meeting;
 - v. to correct an inaccuracy in the draft minutes of a meeting;
 - vi. to dispose of business, if any, remaining from the last meeting;
 - vii. to close or adjourn a debate;
 - viii. to refer by formal delegation a matter to a committee or sub-committee or an employee;
 - ix. to move to a vote;
 - x. to defer consideration of a proposal;
 - xi. to refer a proposal to a particular committee or sub-committee;
 - xii. to appoint a person to preside at a meeting;
 - xiii. to change the order of business on the agenda;

- xiv. to proceed to the next business on the agenda;
- xv. to require a written report;
- xvi. to appoint a committee or sub-committee and their members;
- xvii. to dissolve a committee or a sub-committee;
- xviii. to note the minutes of a meeting of a committee or sub-committee;
- xix. to consider a report and/or recommendations made by a committee or a sub-committee, an employee, professional adviser, expert or consultant;
- xx. to authorise legal deeds to be signed by the Council's Common Seal and witnessed; (see Standing Order 23 a & b below)
- xxi. to authorise the payment of monies up to £5,000;
- xxii. to amend a proposal relevant to the original or substantive proposal under consideration which shall not have the effect of nullifying it;
- xxiii. to extend the time limits for speaking;
- xxiv. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xxv. to not hear further from a councillor or a member of the public;
- xxvi. to silence or exclude a councillor or member of the public for disorderly conduct;
- xxvii. to give the consent of the Council if such consent is required by Standing Orders.
- xxviii. to temporarily suspend the meeting;
- xxix. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xxx. to appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
- xxxi. to answer questions from Councillors;
- xxxii. to adjourn the meeting; or
- xxxiii. to close a meeting.

12. 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.**

13. 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 11(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.

14. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- 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 **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 the Proper Officer] OR [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 13(d) and (f), a dispensation request shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - v. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a**

- 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 proposals 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;
- 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;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. 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);
- xii. arrange for legal deeds to be executed;
(see also standing order 23);

- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence the 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 Planning Committee.
- xvi. manage access to information about the Council via the publication scheme; and
- 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).

17. RESPONSIBLE FINANCIAL OFFICER

- a The Parish Clerk shall be the Responsible Financial Officer to the Council and shall be responsible for the Parish Council's accounting procedures, in accordance with the Accounts and Audit Regulations in force at any given time.
- b The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

18. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – 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 as soon as practicable after 30 June, 30 September and 31 December in each year (or at each relevant Committee meeting as appropriate) a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;

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

19. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall approve written estimates for the coming financial year at its meeting before the end of January.
- 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.
- c. 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/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.

- d. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- e. **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 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- f. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- g. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- h. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- i. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the**

provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

20. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of the Finance & Policy Committee is subject to standing order 11.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Finance & Policy Committee, or, if he is not available, the vice-chairman (if there is one) the Finance & Policy Committee of absence occasioned by illness or other reason and that person shall report such absence to the Finance & Policy Committee at its next meeting.
- c The chairman of the Council 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 are subject to approval by resolution by the Finance & Policy Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Finance & Policy Committee, or in his absence, the vice-chairman of the Finance & Policy Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Finance & Policy Committee.
- e 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 & Policy Committee, this shall be communicated to another member of the Finance & Policy Committee, which shall be reported back and progressed by resolution of the Finance & Policy Committee.
- f 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.
- g 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 and encrypted.

- h In accordance with standing order 11(a), only persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 20(f) and (g) above shall be provided only to the Clerk and Assistant Clerk.

21. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 22

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

22. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(as required by law, but specifically)

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.**

23. 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.

24. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(b)(xii) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 24(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]**

25. 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 ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

26. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- 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 requirement 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.
- d. Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

27. 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.
- b. The minutes of meetings of the council, its committees or sub-committees shall be available for inspection by councillors.
- c. The minutes of the council shall be open to inspection by any local government elector of the parish without charge.
- d. Draft minutes will be available to view on the council's website as soon as is practicable.

28. GENERAL POWER OF COMPETENCE

- a. Before exercising the General Power of Competence, a meeting of the full council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b. The council's period of eligibility begins on the date that the resolution under Standing Order 27(a) above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.
- c. After the expiry of its preceding period of eligibility, the council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power which was not completed before the expiry of the council's preceding period of eligibility referred to in Standing Order 27(b) above.

29. 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 proposal 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 to be given by at least 3 councillors to the Proper Officer in accordance with standing order 9.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible. after he 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.
- 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.

30. EMERGENCY ACTION AND DELEGATION

- a. Holding action to eliminate the risk of further damage to property or injury shall be taken by any two of the following:
- The Chairman of the Council
 - The Vice-Chairman of the Council
 - The Chairman of the relevant committee (or vice-chairman in his/or her absence)
 - The Clerk (or Assistant Clerk in his/her absence)

Any such action, to be reported to the Chairman of the relevant committee as soon as practical.

- b. Where powers or duties have been delegated to a committee it shall be competent for that committee in turn to assign functions or delegate powers and duties to a sub-committee or to the Clerk.
- c. To resolve routine matters where precedents have been set or of such insignificance not to warrant a Committee Meeting to be called (i.e. permission for a standard memorial in the cemetery, permission to allow a responsible group to use a Village Green for approved activities, discretionary decisions on hire of the Council's facilities etc) Delegated Powers to be given to the Clerk in consultation with either:
- Chairman of the relevant committee (or vice-chairman in his/her absence)
 - The Chairman of the Parish Council (or vice-chairman in his/her absence)

- d. Delegated Powers to the Clerk (or Assistant Clerk in his/her absence) as follows:
- The general management of the Council's services in accordance with the practices determined from time to time by the Council and its committees
 - The implementation of non-discretionary adjustments to the Clerk's pay according to recommendations by NALC and the same general percentage rate rise for the Assistant Clerk and other staff.
 - The implementation of the non-discretionary NALC/SLCC Terms and Conditions of Service for the Clerk and Assistant Clerk.
 - The implementation of non-discretionary adjustments to the Scheme of Conditions of Service of the National Joint Council for local Government Services for staff.
 - The payment of travelling and subsistence allowances as recommended by NALC to Councillors and Staff.
 - The payment of Chairman's travel expenses for official visits.
 - The operational responsibilities of the Council's functions within the policy framework set by Council – this to include the efficient deployment of staff.
- e. The Council may from time to time further delegate action to the Clerk specifically or to the Clerk after consulting with the appropriate committee chairman. Such delegation to be clearly minuted.
- f. In the event of routine action/decisions needed to be taken between Committee meetings, the Clerk to have delegated authority (and in the Clerk's absence, the Assistant Clerk) to take such decisions or actions after consulting with the

Chairman or Vice Chairman of the Council and the Chairman of the relevant committee. All actions to be reported at the next Committee meeting and clearly minuted.