

# COLLINGHAM *Parish Council*

## STANDING ORDERS – Adopted 12 May 2022

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## How to use Standing Orders

Standing orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council, but they may refer to them. A local council must have standing orders for the procurement of contracts.

Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have standing orders to confirm those statutory requirements. A council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements. If it does not, committees and sub-committees may adopt their own standing orders.

Model standing orders that are marked with **bold type** contain statutory requirements. It is recommended that councils adopt them without changing them. Other model standing orders are designed to help councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. For convenience, the word "councillor" is used in model standing orders and includes a non-councillor with or without voting rights unless otherwise stated.

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 Responsible Financial Officer.

Model financial regulations are available to councils in membership of the National Association of Local Councils (NALC).

## STANDING ORDERS

### 1. Meetings generally

- 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.** Every Member when speaking shall address the Chair and the Chair shall have power to forbid any member, except the mover, from speaking more than once on any occasion or question except in explanation. The mover shall be entitled to speak once in making the motion and once by way of reply.
- 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.** Fourteen days' notice shall be given for all public meetings in order for the Clerks to make necessary arrangements, contact speakers etc.
- c. **The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.** Public notice of all meetings shall be given to the Newark Advertiser and also posted on suitable notice boards throughout the village situated at:
  - Noticeboard outside the Memorial Hall, High Street, Collingham
  - Noticeboard on the Co-operative car park, High Street, Collingham
  - Noticeboard outside the Youth and Community Centre, Low Street, Collingham
  - Noticeboard at the Jubilee Room, Swinderby Road, Collingham
  - Noticeboard outside the Chapel at Brough
- d. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda during the public forum before the meeting begins. After the meeting starts the public may only speak if invited to do so by the Chair. Members of other organisations who are reporting to the Council may be invited to sit with the Members, at the discretion of the Chair, until the item is concluded.
- f. The period of time designated for public participation at a meeting in accordance with standing order [1\(e\)](#) shall not exceed 15 minutes unless directed by the chairman of the meeting. Subject to standing order [1\(e\)](#), a member of the public shall not speak for more than 5 minutes, subject to demand. In accordance with standing order [1\(e\)](#), 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. A person who speaks at a meeting shall direct his comments to the chairman of the meeting. 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.
- g. **Subject to standing order 1h, 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.**

- h. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- i. 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.**
- j. 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/her absence be done by, to or before the Vice-Chairman of the Council (if any).**
- k. 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 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.**
- l. 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.**
- m. 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/her casting vote whether or not he/she gave an original vote.**

*See standing orders [3\(h\)](#) and [\(i\)](#) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*

- n. 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.**
- o. 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. 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.**
- p. 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/her right to participate and vote on that matter.**
- q. 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 four.**
- r. Annual Meeting of the Parish Council**

The Statutory Annual Meeting of the Parish Council shall usually be held in the Youth & Community Centre on the 2<sup>nd</sup> Thursday in May, unless otherwise agreed.
- s. Annual Parish Meeting**

The Statutory Annual Parish Meeting shall usually be held in the Youth & Community Centre on the 2<sup>nd</sup> Thursday in April and shall commence at 7.30pm, unless otherwise agreed.

Members to be seated by 7.15pm. This meeting shall be conducted in accordance with the Society of Local Council Clerks guidance.

See standing order [2c\(vii\)](#) below for the quorum of a committee or subcommittee meeting.

- s. 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.
- t. A meeting shall not exceed a period of 2.5 hours, unless a Member moves a resolution to continue until it is concluded.
- u. All meetings will take place at the Youth and Community Centre, Low Street, Collingham (unless otherwise notified).
- v. All Ordinary Council Meetings will be held on the 4<sup>th</sup> Thursday of each month with the exception of December which will be held on the 2<sup>nd</sup> Thursday. The meeting in August may be cancelled if there is insufficient business to transact.

## 2. Committees and sub-committees

- a Unless the council determines otherwise, a committee may appoint a subcommittee or advisory group whose terms of reference and members shall be determined by the full council.**
- b. The members of a committee or advisory group may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c. The council may appoint standing committees/advisory groups or other committees/advisory group 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/advisory group up until the date of the next annual meeting of full council;
  - iii. shall permit a committee/advisory group, 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 order [2\(b\)](#), appoint and determine the terms of office of members of such a committee/advisory group;
  - v. shall, after it has appointed the members of a standing committee/advisory group, appoint the chairman of the standing committee/advisory group;
  - vi. shall permit a committee other than a standing committee/advisory group, to appoint its own chairman at the first meeting of the committee;
  - vii. shall determine the place, notice requirements and quorum for a meeting of a committee/advisory group and a sub-committee/advisory group which shall be no less than four;
  - viii. shall determine if the public may participate at a meeting of a committee;
  - ix. 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;
  - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xi. may dissolve a committee/advisory group.

## 3. 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 may direct.**

- c. **If no other time is fixed, the annual meeting of the council shall take place at 7.15pm on the 2<sup>nd</sup> Thursday in May. See standing order 1r**
- 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/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.** The Chair and Vice-Chair shall be elected at every Annual Meeting for the ensuing year. The length of term of the Chair and Vice-Chair shall be restricted to a maximum of three years on election at the Annual Meeting, to ensure continuity of leadership.
- g. The Vice-Chairman of the Council, if any, unless he/she 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/she 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/she shall preside at the annual meeting until a new Chairman of the Council has been elected. He/she 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 of the Council, the business of the 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/her 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 above;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements (including legal arrangements) 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 the Freedom of Information and data protection legislation (see also standing orders 9, 18 and 19);
  - 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 Section 137 of the Local Government Act 1972 or the general power of competence
- k. Representatives on other bodies: Parish Council representatives shall be elected for one year or such length as nominated by the sponsor at each Annual Meeting.

#### BODIES ON WHICH THE COUNCIL IS REPRESENTED

Collingham Youth and Community Association	3 representatives
Newark Municipal Trust	1 representative
The Fleet	1 representative
Memorial Hall Committee	2 or 3 representatives
Tarmac Liaison Committee	4 representatives
Besthorpe and Langford Lowfields	2 for each
<del>Tenants and Residents Association</del>	<del>1 representative</del>
Safer Neighbourhood Group	3 or 4 representatives
Library	2 representatives
Trent Vale Trail	2 representatives
NL Stakeholder Board	1 representative

#### 4. 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 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 sub-committee) may convene an extraordinary meeting of the committee (or sub-committee) at any time.
- d. If the chairman of a committee (or sub-committee) does not call an extraordinary meeting within 7 days of having been requested by to do so by 3 members of the committee (or sub-committee); any 3 members of the committee (or sub-committee) may convene an extraordinary meeting of a committee (or sub-committee).

#### 5. 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 [5\(a\)](#) has been disposed of, no similar motion may be moved for a further six months.

## **6. 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.

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

- a. A motion shall relate to the responsibilities of the meeting for which it is tabled 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.
- 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 14 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order [7\(b\)](#), 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 [7\(b\)](#) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it so that it can be understood, in writing, to the Proper Officer at least 7 clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded and numbered in the order that they are received.
- h. Motions rejected shall be recorded with an explanation by the Proper Officer for rejection.

## **8. Motions at a meeting that do not require written notice**

- a. The following motions may be moved at a meeting without written notice to the 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 or advisory group;
  - 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 or advisory 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 information which is prejudicial to the public interest;
  - xii. to not hear further from a councillor or a 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 or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## 9. Management of Information

*See also standing order 18*

- 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**

## 10. Draft minutes

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. 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 [8\(a\)\(i\)](#).
- 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/she 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 (type of meeting) held on [date] in respect of (agenda item number) were a correct record but his/her 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 10(e) and standing order 18(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.

## 11. Code of conduct and dispensations

See also standing order [1\(o\)](#).

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b. Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he had the interest.
- c. Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- 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 [11\(d\)](#) and [\(f\)](#), a dispensation requests 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) or (at the beginning of the meeting of the Council, or committee or sub-committee for the which the dispensation is required).
- h. A dispensation may be granted in accordance with standing order [11\(e\)](#) if having regard to all relevant circumstances any of the following applies:**
  - i. without the dispensation the number of persons prohibited from participating in the articular business would be so great a proportion of the meeting 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.**

## 12. Code of conduct complaints

- a. Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to [standing order 9](#), report this to the council.
- b. Where the notification in standing order [12\(a\)](#) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Parish Council of this fact.
- c. The council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

- d. Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.

### 13. Proper Officer

- a. The Proper Officer shall be either (i) the clerk (ii) the assistant clerk who will undertake the work of the Proper Officer when the Proper Officer is absent and when otherwise appropriate.
- b. The Proper Officer shall:
- i. **at least three clear days before a meeting of the council, a committee or a subcommittee,**
    - **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 1\(b\)](#) for the meaning of clear days for a meeting of a full council and [standing order 1\(c\)](#) for a meeting of a committee.

- ii. subject to [standing order 7](#), include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his/her 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/her 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 the Freedom of Information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
  - ix. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
  - x. assist in the organisation of, storage of, access to 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);
  - xi. arrange for legal deeds to be executed;
- See also [standing order 21](#) below.
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the Council's financial regulations;
  - xiii. record every planning application notified to the Council and the Council's response to the local planning authority in a suitable manner;
  - xiv. refer a planning application received by the Council to the Chairman (or in his/her absence the Vice-Chairman (if there is one) of the Council) OR (Chairman or in his absence Vice-Chairman (if there is one) of the committee) within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council or committee;
  - xv. manage access to information about the Council via the publication scheme; and
  - xvi. retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.

See also [standing order 21](#).

- c. Correspondence - all correspondence shall be addressed to the Proper Officer and not to individual Members of the Council.

#### 14. Responsible Financial Officer

- a. The Council have appointed the assistant clerk to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

#### 15. Accounts and accounting statements

- a. The Full Council deals with financial matters at Full Council meetings, according to the Financial Regulations adopted at the Annual Meeting.
- b. "Proper Practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners Guide"
- c. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices, scheme of delegation and the Council's financial regulations.

#### 16. Financial controls and procurement

- a. 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 £5,000 shall be procured on the basis of a formal tender.
- b. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
  - v. procurement policies (subject to standing 16(d)) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
- c. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose
- d. 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 16(g) 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 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- e. Subject to the financial regulations of a Council, the tender process for contracts for the supply of goods, materials, services shall include the following steps:
  - i. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm the (i) Council's specification (ii) time and date and address for the submission of tenders and (ii) date of the Council's written response to the tender (iii) prohibition on prospective contractors from contacting councillors or staff to encourage or support of 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 after the deadline for submission of tenders has passed by the Proper Officer in the presence of least one councillor;
  - vi. tenders are to be reported to and considered by the appropriate meeting of Council or Committee or sub- committee.
- f Neither the Council, a committee or sub-committee, is bound to accept the lowest value tender.
- g A public contract regulated by the Public Contract Regulations 2015 with an estimated value in excess of £213,477 for a public service or supply contracts or in excess of £5,336,937 for a public works contract 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.**
- h 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 £5,336,937 for a works contract; or £820,370 for a social and other specific services contract shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

## **17. Handling staff matters**

- a. The council has an appraisal scheme to provide all staff the opportunity to review his/her performance and to give all staff the opportunity to provide feedback to members of the council on their performance. Two Councillors are appointed at every Annual Meeting to organise the annual appraisal/development review and who are responsible for staff matters according to the contract of employment for staff and applicable policies relating to staff employment.
- b. Only persons with line management responsibilities shall have access to staff records. All such records shall be treated as confidential.

## **18. Responsibilities to provide information**

*See also Standing order 19*

- 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.

## **19. Responsibilities under data protection legislation**

*See also standing order 9.*

- a **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- b **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c **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.**
- d **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.**
- e **The Council shall maintain a written record of its processing activities.**

## 20 Relations with the press/media

- a. The Parish Clerks of the Parish Council should be the first contact person for the press/media, on all enquiries. Councillors should always refer any enquiries to the Parish Clerks. If the Parish Clerks were not available in exceptional circumstances, then the Chair or the Vice Chair would be the contact for any enquiries. If the topic of the enquiry had not been discussed at a meeting that should be clearly stated. Anyone else from the Parish Council contacting the press/media would do so in a private capacity only. This policy applies to oral and written statements to the press/media. The purpose of this standing order is to define the roles and responsibilities within the Parish Council for working with the media and deals with the day-to-day relationship between the Parish Council and the media. It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.

(This is following a resolution relating to this matter from 22 September 2011, item 10)

## 21. Execution and sealing of legal deeds

- a. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b. **Subject to standing order [21\(a\)](#), any two Councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

## 22. Insurance

- a. The Council shall maintain insurance cover for the risks it considers appropriate, but shall as a minimum cover include for public liability, employer's liability, money and fidelity guarantee.

## 22. Communicating with District and County 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 representing the area of the Council.
- b. Unless the council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

## 23. Restrictions on councillor activities

- a. 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.

## 24. Standing orders generally

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 4 councillors to be given to the Proper Officer in accordance with [standing order 7](#).
- c. The Proper Officer shall provide a hard copy of the Council's standing orders to a councillor if requested as soon as possible, otherwise this document will be available electronically online.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.