

ARTICLE 6(a)



STANDING ORDERS

RELATING TO THE PROCEEDINGS AND

BUSINESS OF THE COUNCIL

NOTE:

BOLD BLACK PRINT = **MANDATORY STANDING ORDER**

BLACK PRINT = **DISCRETIONARY STANDING ORDER**

APRIL 2024

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1. COUNCIL 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)(i) When calculating the minimum three clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- (b)(ii) 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.**
- (c)(i) 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.**
- (c)(ii) The point of entry for members of the public shall be the rear Council Chamber door which is accessed from the Public Car Park. This door is to be opened for public access 30 minutes prior to the advertised time of the meeting.**
- (d)(i) Subject to Standing Order 1(c)(i) above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda of the Council, its Committees and Sub-Committees (with the exception of the General Appeals Sub-Committee and the Personnel Appeals Sub-Committee).**

Questions will not be received by the Council which are in furtherance of a person's individual circumstances, or which are about a matter where there is a right of appeal to the courts, a tribunal or government minister. A question will also not be received by the Council, its Committees and specified Sub-Committees where the issue it concerns has been the subject of a decision of the Council in the last six months.

- (d)(ii) With the exception of the Annual or Extraordinary Council Meetings, members of the public can submit a written question for the Council Agenda as long as it is submitted seven clear days before the Council Meeting date. Questions should relate either to the powers and duties of the Council, or affect the Parish in some way. These questions will be entered on to a register which will be open to the public for inspection.**
- (e) The period of time which is designated for public participation in accordance with Standing Order 1(d)(i) and 1(d)(ii) above) shall not exceed twenty minutes, unless directed by the Chairman of the meeting.**
- (f) Subject to Standing Order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than three minutes.**

- (g)(i) In accordance with Standing Order 1(d)(i) above, a verbal question concerning an item on the agenda asked by a member of the public during a public participation session at a meeting will normally be taken into account during the subsequent discussion of that agenda item. However, the Chairman may also direct that a response to a question posed by a member of the public be referred to a Councillor for an immediate oral response or to an employee for a written or oral response.
- (g)(ii) Written questions submitted under Standing Order 1(d)(ii) can be debated by members, however no resolution should be made at a meeting based solely on the comments and representations made under a public participation session. If the matter referred to falls under the powers and duties of a particular Committee and if members deem it appropriate, the item can be referred to the next meeting of the relevant Committee for consideration.
- (h) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- (i) A person shall raise his hand when requesting to speak and may stand when speaking.
- (j) Any person speaking at a meeting shall address his comments to the Chairman.
- (k) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- (l) Subject to standing order 1(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 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 may in his absence be done by, to or before the Vice-Chairman (if any).**
- (p) The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- (q) Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**
- (r) The Chairman 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 also Standing Orders 2(s) and (t) below).**

- (s) **Voting on any question shall be** via an exhaustive vote, indicated **by a show of hands**. 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 will 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. **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) **A councillor or 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 the matter.**
- (u) **No business may be transacted at a Council Meeting unless at least one third of the whole number of members of the Council are present. The quorum for Committees, Sub-Committees and Working Groups shall be three members.**
- (v) **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 will be adjourned to a following meeting.
- (w) 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) any dispensations in relation to interests that were approved;
 - (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;
 - (vii) agreement of the minutes of the previous meeting; and
 - (viii) the resolutions made in respect of each agenda item.
- (x) A Council (or Committee) Meeting shall not exceed a period of two hours from start to finish.

Where it is apparent that a meeting may last longer than two hours it must be put to the meeting via Standing Order 5 - Motions Not Requiring Written Notice, before the two hours is up, that Standing Order 1(x) be suspended to enable the meeting to continue beyond two hours, or that the meeting be adjourned.

It is also advisable for the Chairman to ask if members would like to have breaks of 5 minutes after every hour of any meeting.

2. ANNUAL COUNCIL MEETING

- (a) In an election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- (b) In a year which is not an election year, the Annual Meeting of a Council shall be held on such day in May as the Council decides.**
- (c) The Annual Meeting of the Council shall take place at 7pm.**
- (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 elections of the Chairman (Mayor) and Vice-Chairman (Deputy Mayor) (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 any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**
- (h) In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the 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 meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- (j) Following the election of the Mayor (Chairman) of the Council and Deputy Mayor (Vice Chairman) of the Council at the Annual Meeting of the Council, the business shall include:**
 - (i) In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date.**
 - (ii) Receive the notice of the meeting, consider any members' dispensation requests, receive notification of any declaration of interests and receive apologies for absence.**
 - (iii) Confirmation of the accuracy of the minutes of the last meeting of the Council and, if required, to receive minutes of and/or to approve recommendations made by committees.**

- (iv) To receive announcements from the newly appointed Mayor, including a vote of thanks to the outgoing Mayor.
- (v) Annual review of the Council's Constitution including powers and duties of committees, standing orders, financial regulations, scheme of delegation, members' and officers' codes of conduct and list of strategies and policies.
- (vi) Review and appointment of existing committees including agreement of numbers and receipt of nominations.
- (vii) Consider the appointment of any new committees, and, if any new committees are agreed, confirmation of the terms of reference, the number of members and receipt of nominations to them.
- (viii) A temporary meeting adjournment, to allow Committee Meetings to take place to appoint Chairmen and Vice Chairmen, agree each Committees respective Sub-Committees and Working Groups, agree numbers on each, and receive nominations. The Chairman of the Council presides during the adjournment until the appointment of the Chairman of the relevant Committee, who then assumes the chair and conducts the business of that meeting, before handing back to the Chairman of the Council.
- (ix) Receipt of Members Attendances and Members' Allowances for the preceding year.
- (x) Review of representations on or work with outside bodies and arrangements for reporting back to the Council, including the appointment of councillors to these outside bodies.
- (xi) In a year of elections, where the Council's period of eligibility to exercise the "General Power of Competence" has expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- (xii) Setting the dates, times and place of ordinary meetings of the Full Council and its Committees for the year ahead.
- (xiii) Review and confirmation of arrangements for insurance cover in respect of all insurable risks.
- (xiv) Review of arrangements, including any charters, with other local authorities, not for profit bodies and businesses, and review of contributions made to expenditure incurred by other local authorities.
- (xv) Review of inventory of Council land and buildings.
- (xvi) Review of Council and staff subscriptions to other bodies.
- (xvii) Review of the Council's expenditure incurred under the general power of competence.
- (xviii) Receive a list of training undertaken by councillors during the year.
- (xiv) Notification of the spokespeople for each political group.

3. PROPER OFFICER

- (a) The Council's Proper Officer shall be either:
- (i) the Town Clerk; or
 - (ii) such other employee as may be nominated by the Council from time to time; or
 - (iii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.
- (b) The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in the Council's Constitution.
- (c) **The Council's Proper Officer shall:**
- (i) **At least three clear days before a meeting of the Council, or committee or a sub-committee:**
 - **Serve on councillors by delivery or post at their residences or by e-mail 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 e-mail), 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(i) and b(ii) for the meaning of three clear days.
 - (ii) Subject to Standing Orders 4(a) to (h) below, include in the agenda all motions, in the order received, unless a councillor has given written notice at least seven clear 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 Council minute books by local government electors.**
 - (v) **Receive and retain copies of byelaws made by other appropriate local authorities.**
 - (vi) Receive and retain declarations of acceptance of office from councillors.
 - (vii) Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - (viii) Assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures.
 - (ix) Liaise, as appropriate, with the Council's Data Protection Officer (if there is one).
 - (x) 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 14).
- (xiii) 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 and Standing Orders for Contracts and Procurement.
- (xiv) Ensure a record of every planning application notified to the Council and the Council's response to the local planning authority.
- (xv) Refer a planning application received by the Council to the Chairman or, in their absence, Vice-Chairman of the Council 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.
- (xvi) Manage access to information about the Council via the Publication Scheme and in accordance with the Data Transparency Code.
- (xvii) Retain custody of the seal of the Council which shall not be used without a resolution to that effect (See also Standing Order 14).
- (xviii) Action or undertake activity or responsibilities instructed by resolution of the Council or contained in the Constitution.
- (xix) Act with delegated authority as indicated in the Council's Scheme of Delegation.
- (xx) Fulfil the health and safety role as indicated in the Council's Health and Safety Policy, including the production of an annual Health and Safety Report.

4. MOTIONS REQUIRING WRITTEN NOTICE

- (a) A motion must relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and lawful obligations, or an issue which specifically affects the Council's area or its residents.
- (b) If a motion falls within the terms of reference of a Committee or Sub-Committee or within the delegated powers conferred on an employee, it shall stand automatically referred to such Committee or Sub-Committee or to be dealt with directly by the employee. In the case of urgency or expediency the Proper Officer shall consider calling a Special Meeting of the relevant Committee or Sub-Committee in consultation with relevant Chairman and Vice Chairman.
 - (b)(i): In accordance with Standing Order 3(b)(ii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer. The deadline for the submission of a motion is set at 12 noon, seven clear days before the meeting.
- (c) The Proper Officer may, before including a motion in the agenda received in accordance with Standing Order 4(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- (d) If the Proper Officer considers the wording of a motion received in accordance with Standing Order 4(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it in writing to the Proper Officer in clear, certain and understandable language. The deadline for the re-submission of the motion is in accordance with Standing Order 4(b)(i) or 4(e).
- (e) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman and Vice Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, after the motion submission deadline and in advance of papers being published. This will be to consider whether the motion shall be included or rejected in the agenda.
- (f) Having consulted with Chairman and Vice Chairman or Councillors pursuant to Standing Order 4(e) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- (g) Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.
- (h) Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

- (a) Motions in respect of the following matters may be moved verbally at meetings without written notice to the Proper Officer:
- (i) To appoint a person to preside at a meeting.
 - (ii) To approve the absences of councillors (apologies).
 - (iii) To approve the accuracy of the draft minutes of the previous meeting.
 - (iv) To correct an inaccuracy in the draft minutes of the previous meeting.
 - (v) To dispose of business, if any, remaining from the last meeting.
 - (vi) To alter the order of business on the agenda for reasons of urgency or expedience.
 - (vii) To proceed to the next business on the agenda.
 - (viii) To close or adjourn debate.
 - (ix) To move to a vote.
 - (x) To defer consideration of a motion or other matter e.g. officer report, or refer by formal delegation a motion, to a committee or to a sub-committee or for direct action by an employee.
 - (xi) To appoint a committee or sub-committee, receive nominations, and appoint councillors (including substitutes) thereto.
 - (xii) To dissolve a committee or sub-committee.
 - (xiii) To receive the minutes of a meeting of a committee, sub-committee or working group and approve or reject its recommendations.
 - (xiv) To request that a written report from an officer be presented to a future meeting.
 - (xv) To consider a report from an officer, professional advisor, expert or consultant, and/or agree, reject, defer or refer to a committee, sub-committee or working group, the recommendations.
 - (xvi) To authorise legal deeds to be sealed by the Council's Common Seal and witnessed. (See Standing Order 14 below.)
 - (xvii) To answer questions from Councillors.
 - (xviii) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - (xix) To extend the time limit for speeches.
 - (xx) To exclude the press and public for all or part of a meeting in respect of confidential information which is prejudicial to the public interest.
 - (xxi) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - (xxii) To give the consent of the Council if such consent is required by Standing Orders.

- (xxiii) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - (xxiv) To suspend a particular standing order (unless it reflects mandatory statutory or legal requirements).
 - (xxv) To temporarily suspend the meeting.
 - (xxvi) To adjourn the meeting.
 - (xxvii) To close the meeting.
- (b) If a motion falls within the terms of reference of a committee, sub-committee or working group or within the delegated powers conferred on an employee, a referral of the same may be made to such committee, sub-committee or working group or to be dealt with directly by the employee, provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. RULES OF DEBATE

(a) Motions and Amendments

- (i) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman.
- (ii) All motions or amendments shall not be progressed unless they have been moved and seconded.
- (iii) A written motion on an agenda that is not moved by its proposer may be treated by the Chairman of the Meeting as withdrawn.
- (iv) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- (v) The Chairman has the authority to require motions or amendments to be given to him/her in writing and signed by the mover.
- (vi) Subject to Standing Order 4(a)(i) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.

(b) Seconder's Speech

If a member seconding a motion wishes to speak on it later in the debate she/he must indicate this at the time she/he seconds it.

(c) Order of Speaking

The order of speaking shall be determined by the Chairman.

When a member speaks she/he will address the Chairman.

Whilst a member is speaking, no-one else shall speak unless raising a point of order or giving a personal explanation.

(d) Length and Content of Speeches

With the exception of the mover of a motion, no-one shall speak for more than five minutes on any motion unless the Council allows him/her to do so.

Members shall confine the content of their speeches to the subject under discussion.

(e) Member Speaking Again

With the exception of the Chairman, once a member has spoken on a motion she/he can only speak again in the following circumstances:-

- (i) If an amendment has been moved.
- (ii) If the motion has been amended since she/he last spoke, she/he can move a further amendment.
- (iii) If his/her first speech was on an amendment moved by someone else she/he can speak on the substantive motion regardless of whether or not the amendment was carried.
- (iv) To exercise the right of reply under Standing Order No. 6 (g).
- (v) On a point of order.
- (vi) To give a personal explanation.

(f) Amendments to Motions

- (i) When an amendment is moved, it shall be dealt with before any further amendments are moved.

When an amendment is voted on and carried it shall become the substantive motion following which further amendments can be moved and dealt with.

If no further amendments are moved the Council will then vote on the substantive motion (i.e. either the original motion or the amended one, as the case may be).

- (ii) All amendments must relate to the subject matter of the motion.

The mover of an amendment must state at the beginning of his/her speech that she/he proposes to put forward an amendment.

Amendments must raise issues which are different from those of previous amendments which have been lost.

Amendments must either add and/or delete words from the motion or refer the motion to a Committee or Sub-Committee for consideration or reconsideration.

Amendments which amount to direct negatives to motions (negate the motion) are not permitted.

- (iii) A member moving a motion (but not one on which she/he has given written notice) can, with the approval of the Council (given without discussion) and his/her seconder, alter the motion if the alteration is one which could be made as an amendment.

- (iv) The mover of a motion for the approval of Committee or Sub-Committee Minutes or Working Group Notes may if she/he wishes, include suggested amendments to the Minutes or Notes.

(g) Right of Reply

The mover of every substantive motion has a right of reply. This is exercised at the close of the debate on the motion, immediately before it is voted upon.

The mover of an amendment does not have a right of reply.

Where an amendment is moved, the mover of the original motion also has a right of reply at the end of the debate on the amendment.

This right of reply is confined to answering arguments or objections which have arisen during the debate.

(h) Motions which may be moved during Debate

Whilst a motion is being debated the only other motions which can be moved are:-

- (i) to amend it;
- (ii) to adjourn the meeting;
- (iii) to adjourn the debate;
- (iv) to proceed to the next business;
- (v) that the motion or issue be now voted upon;
- (vi) under Standing Order No. 5 (a) (xxii) that a member be not allowed to speak any further;
- (vii) under Standing Order No. 5 (a) (xxii) that a member should leave the meeting;
- (viii) motions to exclude the public under Section 1 (2) of the Public Bodies (Admission to Meetings) Act 1960 (as extended by s.100 of the Local Government Act 1972).
- (ix) To refer a motion to a committee or sub-committee for consideration.
- (x) To suspend particular standing order(s) except for those which reflect mandatory statutory or legal requirements.

(i) Closure Motions

- (i) Before an original or substantive motion is put to the vote, the Chairman shall be satisfied that the motion has been sufficiently debated.
- (ii) If, during a debate, it is moved and seconded that the Council should proceed to the next business, the Chairman will consider this. If she/he agrees she/he will give the mover of the motion the right to reply and will then take a vote on the proposal to proceed to the next business.
- (iii) If, during a debate, it is moved and seconded that the question be now voted upon, the Chairman will consider this. If she/he agrees a vote will be taken on the proposal. If it is agreed that a vote take place the mover of the original motion will be given a right of reply and his/her motion will then be voted upon.
- (iv) If, during a debate, it is moved and seconded that the debate should be adjourned, the Chairman will consider this. If she/he agrees, a vote will be taken on the proposal to adjourn, but the mover of the original motion will not be given the right to reply.

(j) Points of Order

Members can, at any time, raise points of order.

Points of order relate only to alleged breaches of Standing Orders or statutory provisions and members raising them must specify the Standing Order or statutory provision and why they consider they have been broken.

When a Councillor raises a Point of Order in a meeting, the Chairman will bring in the Town Clerk as the Proper Officer of the Council to immediately decide on the issue.

The Town Clerk will determine if it is a valid Point of Order, and if it is deemed to be valid, advise on how to proceed further in accordance with the Standing Orders.

If it is not a valid point of order, the Town Clerk will state so, and the Chairman will decide in conjunction with the meeting on how to proceed in dealing with the interruption and / or disorderly conduct in accordance with Standing Order 10.

(k) Personal Explanations

Members can, with the Chairman's permission, give personal explanations on matters referred to by other members.

A personal explanation should be confined to a relevant part of a member's previous speech which may have been misunderstood.

(l) Chairman's Ruling

The Chairman's ruling on points of order or personal explanations is final.

(m) Members Speaking

Members will whilst speaking, address other members and officials by their respective titles.

No-one should speak whilst the Chairman is speaking.

7. CODE OF CONDUCT

- (a) All councillors and non-councillors with voting rights shall observe the Member's Code of Conduct adopted by the Council.
- (b) Unless he or 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 or she has a disclosable pecuniary interest. He or she may return to the meeting after it has considered the matter in which he or she had the interest.
- (c) Unless he or she has been granted a dispensation, a councillor or non-councillor with voting rights who has a non-pecuniary interest may remain in the meeting but shall not vote on the matter. He or she may speak on the matter only if members of the public are allowed to speak at the meeting.
- (d) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- (e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council or Committee, Sub-Committee or Working Group for which the dispensation is required, and that decision is final.
- (f) Delegated powers are given to all Committees, Sub-Committees and Working Groups in order to deal with dispensation requests that are relevant to that Committee, Sub-Committee or Working Group. (See the Scheme of Delegation).
- (g) A dispensation request shall confirm;
 - (i) The description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - (ii) Whether the dispensation is required to participate at the meeting in a discussion only or a discussion *and* a vote;
 - (iii) The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - (iv) An explanation as to why the dispensation is sought.
- (h) **A dispensation may be granted in accordance with Standing Order 7(e) above 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 particular 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.**
- (i) Subject to Standing Orders 7(d) to (f) above, dispensation requests shall be considered at the beginning of the meeting of the Council, or Committee or a Sub-Committee, or Working Group for which the dispensation is required.

8. QUESTIONS

(a) Questions other than those raised on Minutes or Agenda Items

- (i) If not later than noon on the preceding working day, notice in writing has been given to the Town Clerk, Members may ask the Mayor or the Chairman of a Committee any question which is relevant to the Council's powers or duties or which affects the administrative area of Great Aycliffe Town Council.
- (ii) With the approval of the Mayor or Committee Chairman, Members may put to him/her urgent questions provided that the Town Clerk has received written notice by noon on the day of the Council meeting.
- (iii) No discussion or debate will be allowed following questions under Standing Order 8(a) (i) and (ii).
- (iv) Any questions or queries on officer reports should be raised with officers before meetings by telephone or email. Please note that this does not preclude members from asking the question at the meeting if this is important to the debate or decision.

(b) Answers to Questions

Answers to questions asked under Standing Order 8 can take any of the following forms:-

- Direct oral answers
- If the information sought is contained in a particular publication, a reference to the publication can be given.
- A written answer, following the meeting, which should be sent to all Members.

The person of whom a question is asked has the option of not giving an answer.

9. 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 5(a)(iv).
- (c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- (d) If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
“The Chairman of this meeting does not believe that the minutes of the meeting of the (.....) held on (.....) 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) **The Council will 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 9e 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.
- (g) **Consideration of Committee Minutes by Council**

When the Minutes of a Committee have been moved and seconded, Members may ask questions about them.

The mover of the Minutes will reply or will request another Member or Officer to reply. After the replies to questions, discussion will be invited.

The mover of the Minutes will then reply or will request another Member or Officer to reply. Members who have asked questions shall not be precluded from the discussions.

All decisions recommended by Committees of the Council, with the exception of those made under delegated powers, or waiving of Standing Orders, must be approved by Full Council at the time of agreeing the minutes.

Committee Minutes may be agreed ‘subject to’ a particular recommendation being rejected, deferred or referred back for further consideration.

10. 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 excluded from the meeting under Standing Order 5(a) (xxii). The motion, if seconded, shall be put to the vote without discussion.
- (c) If a resolution made under Standing Order 10(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

11. RESCISSION OF PREVIOUS RESOLUTIONS

- (a) A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof, bears the names of at least two councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a Committee.
- (b) When a special motion or any other motion moved pursuant to Standing Order 11(a) above has been disposed of no similar motion may be moved for a further six months.

12. PETITIONS

- (a) Petitions may be received at ordinary meetings of the Council provided that the petition is received by the Town Clerk no later than midday five working days before the day of the meeting and is signed by at least 10 electors within the Parish.
- (b) Petitions may only be about a matter for which the Council has a responsibility, or which affects the Parish.
- (c) Petitions will not be received by the Council which are in furtherance of a person's individual circumstances, or which are about a matter where there is a right of appeal to the courts, a tribunal or government minister.
- (d) A petition will not be received by the Council where the issue it concerns has been the subject of a petition in the last six months or a decision of the Council in the last six months.
- (e) One signatory to the petition may speak on the petition for no more than five minutes.
- (f) No discussion shall take place on the petition. A member may move that the petition be referred to the next meeting or to a committee or to another body. Once seconded, the motion will be voted on without discussion.
- (g) No more than five petitions will be received at a meeting.

13. FINANCIAL ADMINISTRATION

- (a) The Council shall appoint a Responsible Financial Officer in accordance with Section 151 of the Local Government Act 1972 and appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- (b) The Council's Financial Regulations shall be reviewed once a year.**
- (c) All Committees, Sub Committees and Working Groups of the Council and all Council Officers must abide by the Financial Regulations adopted by the Council in accordance with Section 151 of the Local Government Act 1972 and the Accounts and Audit Regulations 2015.
- (d) All Committees, Sub Committees and Working Groups of the Council and all Council Officers must abide by the Financial Regulations and Standing Orders relating to Contracts and Procurement in undertaking any procurement activity.

14. EXECUTION AND SEALING OF LEGAL DOCUMENTS

- (a) A legal document or deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- (b) In accordance with a resolution made under Standing Order 14(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be affixed to the instrument by the Town Clerk in the presence of, attested and signed by two members of the Town Council.**
- (c) The Common Seal shall be kept in the custody of the Town Clerk.

15. COMMITTEES, SUB COMMITTEES AND WORKING GROUPS

- (a) The Council at its Annual Meeting shall appoint such committees as it may determine and may at any time appoint such other committees as are necessary to carry out the work of the Council, but, subject to any statutory provision in that behalf. The Council:
 - (i) shall determine their terms of reference and delegated powers.
 - (ii) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting of the Council.
 - (iii) may at any time dissolve or alter the membership of a Committee.
- (b) The Council shall at each Annual Meeting appoint members to serve on the said committees for the ensuing year. In the event of a vacancy occurring in the membership of such a committee by resignation or other cause during the course of the year, an appointment shall be made by the Council to fill the vacancy at the next following meeting of the Council.
- (c) **At the Annual Meeting, at the time of the appointment of Committees, the Council shall determine the number of members and may include non-councillors on the Committee, unless it is the Committee which regulates and controls the finances of the Council (Policy and Resources Committee).**
- (d) With the exception of those matters dealt with under delegated powers, all decisions made by the Committees are subject to confirmation by the Council.
- (e) **Unless there is a Council resolution to the contrary, every Committee may appoint a Sub-Committee whose terms of reference, delegated powers, and members shall be determined by resolution of the Committee.**
- (f) Unless there is a Council resolution to the contrary, every Committee may appoint a Working Group whose terms of reference, delegated powers and members shall be determined by resolution of the Committee.
- (g) Decisions taken by Sub-Committees and Working Groups must be endorsed by their parent Committees and then by the Council unless they have been given delegated powers.
- (h) Unless required otherwise by law, or by a decision of the Council, the requirements of these Standing Orders, shall apply to all meetings of Committees, Sub-Committees and Working Groups.
- (i) Unless required otherwise by law, or by a decision of the Council, the quorum for Committees, Sub-Committees and Working Groups is three members.
- (j) Unless required otherwise by law, or by a decision of the Council, the Chairman and Vice-Chairman of each Committee shall be the person so appointed by the Council for the year at the first meeting of the Committee. In the absence of the Chairman and Vice Chairman from a meeting, a Chairman for the meeting shall be appointed by the members present for the conduct of the meeting.
- (k) Voting at a meeting of a Committee, Sub-Committee and Working Group shall be determined by exhaustive vote, indicated by show of hands of the members present and entitled to vote. The Chairman shall have a casting vote.
- (l) Members can, if they wish, have recorded in the minutes the way in which they voted on a particular question (See also Standing Order No. 1(s)).

- (m) The draft minutes of Committees shall be printed and sent to each Member of the Council with the summons for the Council Meeting at which they are to be presented.
- (n) The draft minutes of Sub-Committees and Working Groups shall be printed and sent to each Member of the Council with the agenda for the next meeting of the relevant parent committee at which they are to be presented.
- (o) The dates of all ordinary meetings of Committees shall be fixed by the Council at its Annual Meeting and be summoned by the Town Clerk. All other meetings of Committees and of Sub-Committees and Working Groups shall be summoned by the Town Clerk after consultation with the Chairman thereof. When neither the Chairman nor the Vice-Chairman concerned can be consulted, the Town Clerk may convene any meeting for the transaction of urgent business.
- (p) The Town Clerk, on the instruction of the Chairman of a Committee, Sub-Committee or Working Group may summon a special meeting of such Committee, Sub-Committee or Working Group at any time.
- (q) Any Member of the Council may attend any meeting of a Committee, Sub-Committee or Working Group (except for the Personnel and Appeals Sub-Committees) of which he/she is not a member, but shall not speak thereat except by the permission of the Committee, Sub-Committee or Working Group.
- (r) A member of the Council who is not a member of a Committee, Sub-Committee or Working Group at which he/she attends shall not be permitted to vote on any subject or decision before the Committee, Sub-Committee or Working Group.
- (s) The Mayor and Deputy Mayor shall be ex-officio members of all Committees with the exception of the Personnel Appeals and General Appeals Sub-Committees. The Mayor will be a member of the Personnel Sub-Committee and the Deputy Mayor will be a member of the Appeals Sub-Committee, but neither shall be a member of both.

16. ADVISORY COMMITTEES

- (a) The Council may appoint advisory committees comprised of a number of councillors and non-councillors and set terms of reference for these.
- (b) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

17. EXTRAORDINARY COUNCIL MEETINGS AND SPECIAL COMMITTEE MEETINGS

- (a) **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- (b) **If the Chairman of the Council does not or refuses to 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 must be signed by the two councillors.**
- (c) The Chairman of a Committee may convene a special meeting of the Committee at any time.
- (d) If the Chairman of a Committee does not or refuses to call a special meeting within seven days of having been requested by to do so by two members of the Committee or the Sub-Committee, any two members of the Committee and the Sub-Committee may convene a special meeting of a Committee.
- (e) Extraordinary meetings of the Council or special meetings of its Committees will not consider the minutes of previous ordinary meetings.

18. ACCOUNTS AND FINANCIAL REPORTING

- (a) “Proper practices” referenced in the Council’s Constitution and Standing Orders refer to the most recent version of the *“Joint Panel on Accountability and Governance – 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 and Standing Orders for Contracts and Procurement, which shall be reviewed at least annually.
- (c) The Responsible Financial Officer shall supply to each councillor as soon as practicable after the 30th June, 30th September and 31st December in each year a budgetary control report summarising the Council’s income and expenditure for each period and the balances and reserves held at the end of the quarter. This statement should include a comparison with the budget for the financial year and highlight any actual or potential overspends.
- (d) As soon as possible after the financial year end at 31st March, the Responsible Financial Officer shall provide each Councillor with a year-end outturn report on the Council’s Revenue and Capital Budgets summarising the Council’s actual income and expenditure for the last year and the balances and reserves held at the end of the year.
- (e) The Responsible Financial Officer shall prepare the Council’s Annual Governance and Accountability Return in accordance with proper accounting practices presenting fairly the Council’s annual position and income and expenditure, governance and internal audit arrangements and annual accounting statements for the year to the 31st March and this shall be presented to, and approved, by the Council by the end of June. The Annual Governance and Accountability Return of the Council is subject to external audit. The audit must be completed, and the accounts published by the 30th September each year.

19. ANNUAL BUDGET AND PRECEPT

The Council will prepare written Revenue and Capital Budgets for the coming financial year and approve these and set the annual Precept at a meeting of the Council by the 31st January.

20. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

- (a) Candidates for Council staff appointments will be disqualified if they directly or indirectly canvass members of the Council.

This paragraph will be referred to in application forms.

- (b) Members of the Council shall not use their influence to obtain Council staff appointments for anyone.
- (c) Candidates who know they are related to any Member or Senior Officer must disclose this on their job application form.
- (d) Anyone failing to disclose a relationship will be disqualified and, if they have already been appointed when the matter comes to light, they may be liable to dismissal.
- (e) If any Member or Officer knows a particular candidate they should disclose this.
- (f) The Town Clerk should report any disclosures to the Council.
- (g) People will be regarded as related if they or their spouse have one of the following relationships with Members, Senior Officers or with their spouses or partners, namely:

Spouse	Partner
Parent	Parent-in-law
Son	Daughter
Step-Son	Step-Daughter
Child of Partner	Brother
Sister	Grandparent
Grandchild	Uncle
Aunt	Nephew
Niece	Cousin

21. STAFF APPOINTMENTS

(a) Procedure on Staffing Establishment and Staff Appointments

- (i) The Personnel Sub Committee shall from time to time recommend to the Policy and Resources Committee the staffing establishment for the Council.
- (ii) The Policy and Resources Committee shall in turn, make recommendations to the Council in relation to the staffing establishment, and no new officer post shall be created, nor any person employed in addition to the establishment (save for casual employees) except as approved by the Council.
- (iii) Where it is proposed to fill a vacancy for a post on or above salary point 12 on the staffing establishment, to create an additional post, or to amend the working hours, or terms and conditions of a post, the Town Clerk shall as a first step submit a report to the Personnel Sub Committee seeking authority to do so.
- (iv) That report shall:
 - (a) specify the proposed duties of the post via a new job description or the update of the existing job description.
 - (b) recommend the proposed grade and salary for the post with such recommendation subject, if required, to evaluation under the computerised job evaluation scheme in relation to new posts or where material changes are proposed to the job description or terms and conditions of existing posts.
 - (c) set out the essential and desired requirements for the postholder via a person specification.
 - (d) set out proposals for advertising the post.
 - (e) indicate whether it is proposed initially to seek to fill the post from within the existing staffing establishment.
 - (f) advise on the financial implications.
- (v) For the appointment of officers on or above salary grade 12, the Chairman and Vice Chairman of the Personnel Sub-Committee, together with three Members of the Sub-Committee and the Chairman of the appropriate Standing Committee (if she/he is not already a member of the Personnel Sub Committee) shall form a Shortlisting and Interview Panel to:
 - (a) select a shortlist of qualified applicants using a relevant scoring matrix assessed against the person specification and job description.
 - (b) interview all qualified applicants included on the shortlist.
 - (c) appoint the successful applicant to the post.
- (vi) Any future additional staffing posts, the salary point for which is salary point 12 and above on the local government pay scale, shall be identified as relevant staffing posts for the purposes of this Standing Order.

- (vii) Where it is proposed to fill an existing staffing post other than at salary point 12 and above, for which there is budgetary provision, and where there are no proposals to amend the hours or terms and conditions of that post, the Town Clerk shall be empowered to authorise the filling of that post provided that the Town Clerk has consulted with the Chairman and Vice-Chairman of the Personnel Sub-Committee.
- (viii) Interviews for staffing posts graded below salary point 12 shall be undertaken by the Town Clerk, or nominated senior officer together with the Service Manager, who shall have the power to appoint.
- (b) All offers of employment shall be subject to:
- A minimum of two satisfactory references.
 - A satisfactory check with the Disclosure and Barring Service and/or Social Services where appropriate for the post.
 - A satisfactory medical report.
 - A probationary period of six months where the employee is a new entrant to local government service.
 - The production of proof of qualifications claimed.
- (c) The Council will interview all applicants with a disability who meet the minimum criteria for a job vacancy and consider them on their abilities.
- (d) **Voting on Appointments**

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. Any tie may be settled by the Chairman's casting vote.

22. 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 or her official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a Sub-Committee, and request a copy for the same purpose. The minutes of meetings of the Council, its Committees or Sub-Committees shall be available for inspection by Councillors.

23. UNAUTHORISED ACTIVITIES – COUNCILLOR RESTRICTIONS

- (a) Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a Committee or a Sub-Committee:
 - (i) inspect any land and/or premises which the Council has a right or duty to inspect; or
 - (ii) issue orders, instructions or give directions to officers.

24. MANAGEMENT OF INFORMATION

- (a) **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- (b) **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- (c) **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- (d) **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

25. GENERAL POWER OF COMPETENCE (ENGLAND)

- (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 set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 and the Council qualifies as an eligible Parish Council.
- (b) The Council's period of eligibility begins on the date that the resolution under Standing Order 25 (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) If the Council loses its qualified Clerk or has insufficient elected Councillors then it must record its ineligibility at the next 'relevant' annual meeting of the Council (after the ordinary election). If the Council has already started an activity under the Power of General Competence it can finish that but not start anything new.

26. HANDLING STAFF MATTERS

- (a) A matter personal to a member of staff that is being considered by a meeting of Council or Committee or Sub-Committee is subject to Standing Order 24 above.
- (b) Matters pertaining to staff such as sickness, performance management, grievances and disciplinary issues will be dealt with under relevant Council policies as appropriate to the matter under consideration. These policies will be kept under regular review by the Policy and Resources Committee.
- (c) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- (d) 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.
- (e) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 26(c) and 26(d) above if so justified.
- (f) Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 26(c) and (d) above shall be provided only to the Finance Manager, Corporate and Policy Officer, Corporate Assistant, Senior Accountancy Assistant and the Town Clerk.

27. REQUESTS FOR INFORMATION

- (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.**

28. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

- (a) The Council may appoint a Data Protection Officer ~~(if required)~~.
- (b) **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his or her 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.**

29. RELATIONS WITH THE PRESS / MEDIA

- (a) All requests from the press or other media for an oral or written statement or comment from the Council shall be cleared by the Town Clerk in consultation with the Chairman of the Council or the Chairman of the relevant Committee.
- (b) Press reports from the Council, its Committees, or Working Groups should be from the Town Clerk or an authorised officer or via the reporters own attendance at a meeting.
- (c) Unless a Councillor has been authorised by the Council to speak to the media on a particular issue, Councillors who are asked for a comment by the press should make it clear that it is a personal view and indicate that it be clearly reported as their personal view.

30. LIAISON WITH COUNTY COUNCILLORS

- (a) The Council will send copies of agendas and papers to Durham County Council upon request.
- (b) The Council will inform local County Councillors of any issues, letters, local views or information relating to their responsibilities or area.

31. FINANCIAL CONTROLS AND PROCUREMENT

- (a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - (i) The keeping of accounting records and system 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 payment.
- (b) The Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.
- (c) The Council shall consider and approve Standing Orders for Contracts and Procurement, drawn up by the Responsible Financial Officer setting out the Council's arrangements for undertaking procurement in accordance with the Public Contracts Regulations 2015.
- (d) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £55,000 but less than the relevant thresholds referred to in Standing Order 31(e) is subject to the 'light touch' arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).** This includes 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.

- (e) **Where the value of a contract is likely to exceed the threshold specified by the Officer of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.**
- (f) However, where a contracting authority is satisfied it is lawful not to advertise a contract opportunity and chooses not to advertise the opportunity at all, the requirement to advertise on Contracts Finder does not apply to that contract. This may be the case where, for example, a contracting authority has a Standing Order stating that advertising is not required for contracts with a value below a certain amount, and there is no legal requirement to advertise the contract. This means that, for example, if a contracting authority is dealing with a procurement worth £40,000; its Standing Orders state that contracts with a value below £55,000 need not be advertised; it is satisfied there is no legal requirement to advertise, and it does not voluntarily advertise the procurement, then there is no requirement to advertise the procurement on Contracts Finder.
- (g) For the purposes of implementing the requirements of the Public Contracts Regulations 2015, the Council will publish contract opportunities on the Contracts Finder portal where the contract value is estimated to be over £55,000, and where a Standing Orders Exemption has not been applied.
- (h) Procurement under the value of £55,000 will be undertaken within the requirements of the Standing Orders for Contracts and Procurement and the Council's Financial Regulations.
- (i) Please refer to the Council's Standing Orders for Contracts and Procurement for the detailed rules and procedures for the procurement of goods, services and works by the Council.

32. CODE OF CONDUCT COMPLAINTS

- (a) Upon notification by Durham County Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's Members' Code of Conduct, the Proper Officer shall, subject to Standing Order 7, report to the Council.
- (b) Where the notification in Standing Order 32(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 32(a).
- (c) The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement; and
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- (d) **Upon notification by Durham County Council that a Councillor or non-councillor with voting rights has breached the Council's Member's Code of Conduct, the Council shall consider what, if any, action to take against him, taking into consideration the conclusion and recommendations set out in the Decision Notice from the Monitoring Officer. Such action excludes disqualification or suspension from office.**

33. INTERPRETATION, VARIATION, REVOCATION AND SUSPENSION OF THE STANDING ORDERS

- (a) At a Council meeting or a meeting of a Committee, Sub-Committee or Working Group any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- (b) A motion to permanently add to or to vary or to revoke one or more of the Council's Standing Orders, except one that incorporates mandatory, statutory or legal requirements, shall not be carried unless half of the councillors at a meeting of the Council vote in favour of the same.

(c) **Standing Orders to be given to Councillors**

The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.

(d) **Interpretation of Standing Orders**

The Chairman's decision as to the application of Standing Orders at meetings shall be final. The Town Clerk will advise on the interpretation of Standing Orders as required.