

**HEWORTH WITHOUT PARISH COUNCIL  
STANDING ORDERS**

**PRODUCED IN ACCORDANCE WITH MODEL  
STANDING ORDERS PRODUCED BY NALC 2018**

**UPDATED MARCH 2021**

**TO BE REVIEWED MAY 2021**

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In these Standing Orders any reference to 'the Council' shall mean Heworth Without Parish Council.

## 1. Meetings

### (a) Premises

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) Dates and Times

Meetings of the Council shall be held on the third Monday of every month except August in Heworth Without Community Centre, Applecroft Road, commencing at 7.00pm and to finish no later than 9.30pm.

See Standing Orders for Remote Meetings May 2020 – Separate document, to be used when government permits.

### (c) Ward Councillor

An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.

### (d) Public Participation

(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.

(ii) 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.

(iii) The period of time designated for public participation at a meeting shall not exceed 30 minutes unless directed by the chairman of the meeting.

(iv) A member of the public shall not speak for more than 5 minutes.

### (e) Reporting

(i) 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.

(ii) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

- (iii) The press shall be provided with reasonable facilities for taking their report of all or part of a meeting at which they are entitled to be present.

**(f) Chairmanship**

- (i) 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 are absent from the meeting, a Councillor shall be chosen by the Councillors present at the meeting shall preside at the meeting. The person presiding at the meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- (ii) 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 or her absence be done by, to or before the Vice-Chairman of the Council.
- (iii) A person who speaks at a meeting shall direct his or her comments to the chairman of the meeting.
- (iv) 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.
- (v) A point of order shall be decided by the chairman of the meeting and his or her decision shall be final.

**(g) Voting**

- (i) Subject to standing order j2 below, all questions at a meeting shall be decided by a majority of the Councillors and non-councillors with voting rights present and voting thereon.
- (ii) The Chairman may have 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 or she gave an original vote.
- (iii) Voting on any 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.
- (iv) 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 or her right to participate and vote on that matter.

**(h) Minutes**

The minutes of a meeting shall include an accurate record of the following:

- (i) the time and place of the meeting;
- (ii) the names of councillors who are present and the names of councillors who are absent;
- (iii) interests that have been declared by councillors and non-councillors with voting rights;
- (iv) the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- (v) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- (vi) if there was a public participation session; and the resolutions made.

**(i) Code of Conduct**

The Code of Conduct adopted by the Council shall apply in respect of the entire meeting.

**(j) Quorum**

- (i) No business may be transacted at a meeting unless one third of the whole number of the Council is present and in no case shall a quorum of a meeting be less than 3.
- (ii) If a meeting is or becomes inquorate no business shall be transacted.

**(k) Debates**

(i) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he or she considers has been breached or specify the other irregularity in the proceedings of the meeting he or she is concerned by.

(ii) When a motion is under debate, no other motion shall be moved except:

- to amend the motion;
- to proceed to the next business;
- to adjourn the debate;
- to put the motion to a vote;
- to ask a person to be no longer heard or to leave the meeting;
- to refer a motion to a committee or sub-committee for consideration;

- to exclude the public and press;
- to adjourn the meeting; or
- to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

- (iii) Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his or her right of reply.
- (iv) Excluding motions moved under Standing Order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.
- (v) A person shall raise his or her hand when requesting to speak.
- (vi) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- (vii) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- (viii) A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- (ix) 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.

**(l) Amendments**

- (i) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- (ii) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- (iii) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- (iv) A councillor may move an amendment to his or her own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

- (v) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- (vi) Subject to standing order 1(l) vii, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- (vii) One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- (viii) A councillor may not move more than one amendment to an original or substantive motion.
- (ix) The mover of an amendment has no right of reply at the end of debate on it.
- (x) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

## **2. Annual Statutory (Council) Meeting**

- a) In an election year the Annual Parish Council meeting 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 Council Meeting shall be held on such a date in May as the Council direct.
- c) The annual meeting of the Council shall be held in Heworth Without Community Centre, Applecroft Road, commencing at 7.00pm and finishing no later than 9.30pm.
- d) The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual Council meeting
- e) The Chairman of the Council, unless he or she has resigned or become disqualified, shall continue in office and preside at the annual council meeting until his successor is elected at the next annual council meeting.
- f) The Vice-Chairman of the Council, unless he or she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual council meeting.
- g) In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he or she 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.

h) Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows:

- (i) In an election year, delivery to the Clerk 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 or 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 the terms of reference for committees;
- (vi) Appointment of members to existing committees;
- (vii) Appointment of any new committees
- (viii) Review of delegation arrangements to employees and other local authorities.
- (ix) Review and adoption of appropriate standing orders and financial regulations.
- (x) Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- (xi) Review of representation on or work with external bodies and arrangements for reporting back.
- (xii) Review of inventory of land and assets including buildings and office equipment.
- (xiii) Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- (xiv) Review of the Council's and/or employees' memberships of other bodies.
- (xv) Establishing or reviewing the Council's complaints procedure.
- (xvi) To answer questions from Councillors.
- (xvii) If necessary, to authorise the signing of orders for payments.
- (xviii) Review of the Council's employment policies and procedures.
- (xix) Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- (xx) Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation

- (xxi) 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.
- (xxii) Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

### **3. Proper Officer and Responsible Financial Officer (RFO)**

a) The Council's proper Officer shall be the clerk. The Proper Officer shall fulfil the duties assigned to the Proper Officer in standing orders.

b) The Council's Proper Officer shall do the following:

- i. at least three clear days before a meeting of the council, a committee or a sub-committee.
- ii. 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
- iii. 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).
- iv. 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.
- v. 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.
- vi. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office in accordance with SO 3b(i) or 3b(ii) above.
- vii. Make available for inspection the minutes of meetings.
- viii. Receive and retain copies of byelaws made by other local authorities.
- ix. Receive and retain declarations of acceptance of office from Councillors.
- x. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- xi. Keep proper records required before and after meetings.
- xii. Process all requests made under Freedom of Information Act 2000 and

Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.

- xiii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xiv. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xv. Arrange for legal documents to be signed by 2 Councillors and witnessed
- xvi. Refer a planning application received by the Council to the [Chairman or in his or her absence the Vice-Chairman of the Council] or to the Planning Officer 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
- xvii. Record every planning application notified to the Council and the Council's response to the local planning authority.
- xviii. Ensure that planning applications are distributed via e-mail to Councillors for their attention within 7 working days of receipt.
- xix. Action or undertake activity or responsibilities instructed by resolution or contained within standing orders and as specified in his or her contract of employment.
- xx. Arrange for prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

#### **4. Motions Requiring Written Notice.**

- a A motion shall 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 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 included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 10 clear days before the next meeting. (as agreed at the meeting of 18<sup>th</sup> January 2021).
- c The Proper Officer may, before including a motion in the agenda received in accordance with SO 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) 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 8 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, after discussion and consultation with the Chairman.
- 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 of the reason for rejection.

## 5. Motions not Requiring Written Notice

a) Motions in respect of the following matters may be moved without written notice:

- i) To appoint a person to preside at a meeting.
- ii) To approve the absences of councillors.
- iii) To approve the accuracy of the minutes of the previous meeting.
- iv) To correct an inaccuracy in the 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 refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- x) To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- xi) To receive nominations to a committee or sub-committee.
- xii) To dissolve a committee or sub-committee.
- xiii) To note the minutes of a meeting of a committee or sub-committee.
- xiv) To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xv) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi) To authorise legal deeds to be signed by two councillors and witnessed.
- xvii) To authorise the payment of monies.
- 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.
- 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 suspend any standing order except those which are mandatory by law.
- xxiv) To adjourn the meeting.

- xxv) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi) To answer questions from councillors.

## 6. Code of Conduct and Dispensations:

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b The Clerk will be required to compile and hold a register of members' pecuniary interests in accordance with agreement reached with Monitoring Officer of the Responsible Authority (City of York Council)
- c A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his or her right to participate and vote on that matter.
- d 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.
- e 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 another interest if so required by the council's code of conduct. He or she may return to the meeting after it has considered the matter in which he or she had the interest.
- f 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.
- g A decision as to whether to grant a dispensation shall be made by the Proper Officer or a meeting of the council, and that decision is final.
- h 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.
- i Subject to standing orders 13(f) and (h) above, 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.

- j A dispensation may be granted in accordance with Standing Order 6(h) above if having regard to all relevant circumstances 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.

## **7. Code of conduct complaints**

- a Upon notification by City of York 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, report this to the council.
- b Where the notification in standing order 7(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take.
- c The council may:
  - i) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d Upon notification by the City of York Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

## **8. Questions**

- a) A councillor may ask the Chairman of the Council or the Clerk any question concerning the business of the Council.
- b) Every question shall be put and answered without discussion.

## 9. Minutes

- a) If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b) No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy.
- c) Minutes, including any amendment to correct their accuracy, 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 or 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 ----held on [date] in respect of Item --- were a correct record but his view was not upheld by the majority of the ----- 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) Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## 10. Disorderly Conduct

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b) If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## 11. Rescission of Previous Resolutions

A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.

## **12. Voting on appointments**

Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## **13. Expenditure**

a) Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

b) The Council's financial regulations shall be reviewed once a year.

c) The Council's financial regulations may make provision for the authorisation of the payment of money, in exercise of any of the Council's functions,

d) Any contract for goods or services expected to be valued at £500 or above, the council should endeavour to obtain at least 3 quotes for said goods or services.

e) A Nominated supplier for the year (such as Play area contractor, Park / Bus Shelter Bench provider etc), does not require 3 quotes for each occasion. However, any new equipment or developments require 3 quotes.

## **14. Execution of Legal Deeds**

See also standing order 5(a) (xvi) above

a) A legal 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 5(a) xvi above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **15. Extraordinary Meetings**

See also SO 3 above

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 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

## 16. Committees

- a) The Council may appoint standing committees or other committees as may be necessary, and:
- i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing order 1(k vii) appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing order 1(k vii) appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 2 days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no fewer than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. 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;
  - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xii. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
  - xiii. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
  - xiv. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
  - xv. may dissolve a committee or a sub-committee.
  - xvi. The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
  - xvii. If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within (7) days of having been requested to do so

by (2) members of the committee [or the sub-committee], any (2) members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a sub-committee].

## **17. Advisory Committees**

- a) The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b) Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

## **18. Accounts and Financial Statement (see Financial Regs)**

- a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b) The Responsible Financial Officer shall supply to each councillor on a monthly basis a statement summarising the Council's receipts and payments and the balances held. This statement should include a comparison with the budget for the financial year.
- c) A Financial Statement prepared on the appropriate accounting basis (income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of April.
- d) The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 6<sup>th</sup> June.
- e) Where it is necessary to make payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer with the approval of the Chairman or Vice Chairman of the Council.
- f) All payments ratified under paragraph 17 (e) shall be separately included in the next schedule of payments before the Council.
- g) Orders for the payment of money shall be authorised by resolution of the Council and cheques signed by two Councillors.
- h) Delegated powers shall be granted to the Clerk/ Responsible Financial Officer for expenditure in respect of postage, telephone and stationery relating to the business of the Council to a maximum of £100 in any one month and the case of an emergency that of £300.
- g) Delegated powers shall be granted to the Clerk/ Responsible Financial Officer to manage the allotment waiting list and allocate plots to the next individual on the waiting list. To Issue tenancy agreements, allotment handbook and invoices. The Clerk shall report any updates at the following ordinary parish meeting.

## **19. Estimates/Precepts**

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

## **20. Inspection of Documents**

a) Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose.

b) The minutes of meetings of the Council shall be available for inspection by councillors.

## **21. Unauthorised Activities**

a) Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council.

- i) Inspect any land and/or premises which the Council has a right or duty to inspect; or
- ii) Issue orders, instructions or directions.

## **22. Confidential Business**

a. Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.

b. A councillor in breach of the provisions of standing order 21(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **23. Matters Affecting Council Employees**

a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council decides whether or not the press and public shall be excluded pursuant to standing order 1(d) above.

b) Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chairman or in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.

c) This council shall upon a resolution conduct a review of the performance and/or appraisal of Council employees and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by the Council.

d) Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter and this matter shall be reported back and progressed by resolution of the Council.

f) Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

g) The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.

h) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

i) Only persons with line management responsibilities shall have access to employee records referred to in standing orders 22 (g) and (h) above if so justified.

j) Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 22(g) and (h) above shall be provided only to Clerk/ RFO and the Chairman of the Council

## **24. Freedom of Information Act 2000**

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) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests. set out under standing order 3(b)(xii) above.

c) The Council will publish information required by the relevant Transparency Code, as required - If gross annual income or expenditure (whichever is higher) does not exceed £25,000 The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

## **25. Management of Information – Data Protection**

(a) The Council may appoint a Data Protection Officer.

(b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his 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.
- (g) 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.
- (h) 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).
- (i) 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.
- (j) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

## **26. 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 processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b) In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **27. Financial Matters – (see FINANCIAL REGS)**

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- (i) the keeping of accounting records and systems of internal controls;
  - (ii) the assessment and management of financial risks faced by the council;
  - (iii) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - (iv) the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - (v) procurement policies for contracts of all levels (subject to standing order (c) below) and requirements under the Public Contract Regulations 2015.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall satisfy the requirements of the Public Contract Regulations 2015 and will be procured on the basis of a formal tender as summarised in standing order 18(d) below. The council will advertise the contract opportunity on the Contract Finder website.
- d. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- (i) a specification for the goods, materials, services or the execution of works shall be drawn up;
  - (ii) an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract

or in excess of £4,551,413 for a public works contract 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.

- g. A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

### **27. Allegations of Breaches of the Code of Conduct**

a) On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Chairman of the Council.

b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.

d) The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

- Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
- Ensure that any background papers containing the information set out in standing order 27(a) above are not made public.
- Ensure that the public and press are excluded from meetings as appropriate.
- Ensure that the minutes of meetings preserve confidentiality.
- Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

e) Standing order 27a above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

f) The Council (including the Proper Officer and the Chairman of the Council) shall have the power to:

- Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
- Seek and share information relevant to the complaint;

- Grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

g) References in standing order 27 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

### **28. Variation, Revocation and Suspension of Standing Orders**

a) 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 add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 5 councillors.

### **28. Standing Orders to be Given to Councillors**

a) 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.

b) The Chairman's decision as to the application of standing orders at meetings shall be final.

c) A councillor's failure to observe standing orders more than 3 times in one meeting may result in him or her being excluded from the meeting in accordance with standing orders.

**These Standing Orders are to be reviewed at the Annual Meetings of the Council .**