



# STANDING ORDERS

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Model Standing Orders for Local Councils

Revised first edition published in 2010

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# What are Standing Orders?

Standing orders are required for the organisation and transaction of the Councils' business and are decided by full Council. A committee or sub-committee may decide its own standing orders if its appointing body (which is the Council in the case of a committee or a committee in the case of a sub-committee) has not made standing orders which apply to them.

Standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes. In accordance with the recommendations of the National Association of Local Councils (NALC) Hampton Parish Council has adopted the model standing orders in bold type in their current form because these reflect statutory requirements.

Model standing orders, not highlighted in bold type, do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements. They may be adapted in a standard format or as in the case of Hampton Parish Council may be adapted or supplemented to suit a Council's particular needs.

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# 1 Rules of debate

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to an original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k The Chair can change the running order of the Agenda, having concurred with the Clerk.
- l 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.
- m A councillor may not move more than one amendment to an original or substantive motion.
- n The mover of an amendment has no right of reply at the end of the debate on it.
- o 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 the debate of the first amendment or at the very end of debate on the final substantive motion and immediately before it is put to the vote.
- p Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion

except:

- i. to speak once on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the amendment has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation;
  - v. in exercise of a right of reply.
- q During the debate of 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 considers has been breached or specify the irregularity in the meeting he is concerned by.
- r A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- s When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting;
  - ix. to suspend particular standing order(s), except those which reflect mandatory statutory requirements.
- t Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- u Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to a motion under discussion and shall not exceed five minutes without the consent of the chairman of the meeting.

## Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided \*three clear days' notice of the question has been given to the Proper Officer and they (the councillor) have had a response (from the Clerk) prior to the forthcoming Agenda item.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions (Matters for discussion at future meetings).
- c Every question shall be put and answered without discussion.

\*Working days relate in this instance to the Clerk's office hours: Wednesday, Thursday and Friday 9am to 1pm.

## **2 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 excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
  
- c If a resolution made in accordance with standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

### 3 Meetings generally

Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for sub-committee meetings	●

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear day's public notice for a meeting does not include the day on which notice was issued or the day of the meeting unless the meeting is convened**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Members of the public are permitted to make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above, shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g In accordance with standing order 3(f) above the designated public participation period time to be shared amongst those present wishing to speak.
- h In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given by the clerk of the chairman.



- i A person shall raise his hand when requesting to speak and stand when speaking (except where a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l Photographing, recording, broadcasting or transmitting is allowed during the proceedings of any public session of the council or its meetings in accordance with the Hampton Parish Council's Protocol for Filming and Recording at Meetings policy (Appendix 1). Any recording must cease if the council resolves to move into confidential session as per the Public Bodies (Admission to Meetings) Act 1960.
- m **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).**
- o **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.**
- p **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.**
- q **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. See also standing orders 5 (i) and (j) below for the rules that apply in the election of the Chairman of the Council at the annual meeting of the council.**
- r **Unless standing orders provide otherwise, 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, in which**

**case the clerk records the vote on a Voting List so that the votes can be kept on record with the names of the councillors and how they voted. Such a request shall be made before moving on to the next item of business on the agenda.**

- s The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors present and absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.
- 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 that matter.
- u **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case, shall the quorum of a meeting be less than three. See standing order 4d(vii) below for the quorum of a committee or sub-committee meeting.**
- 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 shall be adjourned to another meeting.
- w A meeting shall not exceed a period of two and a half hours.

## 4 Committees

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms and reference shall be determined by the committee.**
  
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
  
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
  
- d The Council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the full 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 orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace ordinary members at a meeting of the committee if the ordinary members of the committee confirm to the Proper Officer four days before the meeting that they are unable to attend;
  - vi. shall permit a committee to appoint its own chairman and vice chairman at the first meeting of the committee;
  - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - viii. shall determine if the public may participate at a meeting of a committee;
  - ix. shall determine if the press and public are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - xi. may dissolve a committee.

## 5 Ordinary Council meetings

- a In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- c If no other time is fixed, the annual meeting of the council shall take place at 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 directs.
- e The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.
- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall 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, 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 Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
  - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In

**a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office 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. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- v. Review of the terms of references for committees;
- vi. Appointment of members to existing committees;
- vii. Appointment of any new committees in accordance with standing order 4 above;
- viii. Review and adoption of appropriate standing orders and financial regulations;
- ix. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- x. Review of representation on or work with external bodies and arrangements for reporting back;
- xi. 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;
- xii. Review of inventory of land and assets including buildings and office equipment;
- xiii. Review of arrangements for insurance cover in respect of all insured risks;
- xiv. Review of the council's and/or staff subscriptions to other bodies;
- xv. Reviewing the council's complaints procedure;
- xvi. Review of the council's procedure for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xvii. Review of the council's policy for dealing with the press/media; and
- xviii. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of the full council.

## **6 Extraordinary meetings of the council and committees and sub-committees**

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not 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, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee (or sub-committee) any two members of the committee (or sub-committee) may convene an extraordinary meeting of a committee (and a sub-committee). The public notice giving the time, venue and agenda for such a meeting to be signed by the two councillors.

## **7 Previous resolutions**

- a A resolution shall not be reversed within 6 months except by a special motion, which requires the written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
  
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **8 Voting on appointments**

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



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

- a A motion shall relate to the responsibilities of the meeting which is tabled for and in any event, shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so it can be understood at least seven clear days before the meeting.
- e If the wording or nature 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 on the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

## 10 Motions at a meeting that do not require written notice

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

## **11 Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
  
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 12 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 minutes shall be raised in accordance with standing order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 13 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. 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 standing orders.
- b The Council's Proper Officer shall do the following.
- i. **The Council having resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.**
  - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - iii. Subject to standing orders 4(a)–(e) above, include in the agenda all motions in the order received unless a councillor has given written notice at least four\* working days before the meeting confirming his withdrawal of it.
  - iv. **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 standing order [3(b)i] above.**
  - v. Make available for inspection the minutes of meetings.
  - vi. **Receive and retain copies of byelaws made by other local authorities.**
  - vii. **Receive and retain declarations of acceptance of office from councillors.**
  - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - ix. Keep proper records required before and after meetings;
  - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(a) and (b).*)

- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within 2\* working days of receipt to facilitate an extraordinary meeting **if** the nature of a planning application requires consideration before the next ordinary meeting of the Council or Finance and General Purposes Committee.
- xvii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

\*Working days relate in this instance to the Clerk's office hours: Wednesday, Thursday and Friday 9am to 1pm.

## **14 Code of conduct (England)**

*See Hampton Parish Council Code of Conduct (Appendix 2)*

## 15 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 to be delegated to a committee, sub-committee or to an employee.**



## 16 Execution and sealing 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 14(a) 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.]**

## **17 Advisory committees**

*See also standing order 1 above*

- 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

- 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 as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the quarter and the balances held at the end of each quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31 March shall be presented to each councillor before the end of the following month of May. 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 30 June.

## 19 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of December.
  
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than 21 October.

## **20 Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
  
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
  
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **21 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. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **22 Unauthorised activities**

- 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 directions.

## **23 Power of well-being (England)**

- a Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b The Council’s period of eligibility begins on the date that the resolution under standing order 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 After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council’s preceding period of eligibility referred to in standing order 25(b) above.**

NB Hampton Parish Council does not have this power.



## 24 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Finance and General Purposes Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's Absence / Sickness policy, the Council's most senior employee shall notify the Chairman of Council or, in his absence, the Vice-Chairman of Council of any absence occasioned by illness or urgency and that person shall report such absence to the Finance and General Purposes Committee at its next meeting.
- c The Chairman of the Human Resources Committee or in his/her absence, the members of the HR Committee shall, by referring to the Performance & Appraisal Policy, conduct a yearly review of the performance and/or appraisal of the employee's and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by Full Council.
- d Subject to the Council's Grievance Policy, the Council's most senior employee shall contact the Chairman of the Human Resources Committee or in his/her absence, another member of the Human Resources Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Full Council.
- e Subject to the Council's Grievance policy regarding the handling of grievance and disciplinary matters, any informal or formal grievance matter raised by the employee relating to the Chairman or Vice-Chairman of Full Council or the HR Committee, shall be communicated to another member of the Full Council, which shall be reported back and progressed by resolution of Full 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 26(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 26(g) and (h) above shall be provided only to the Parish Clerk.

## **25 Freedom of Information Act 2000**

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000. (Appendix 3)
  
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance and General Purposes Committee. The said committee 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)(x) above.

## **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. (Appendix 4 & 5)
  
- 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 Liaison with District and County or Unitary Councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County or Unitary Council representing its electoral ward.
  
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County or Unitary Council shall be sent to the District or County or Unitary Council councillor representing its electoral ward.

## 28 Financial matters

- 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 accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
  - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
  
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.**
  
- c Any formal tender process shall comprise the following steps:
  - i. a public notice of intention to place a contract to be placed in a local newspaper;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
  
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
  
- e **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

## 29 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 a committee known as the Finance and General Purposes Committee.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Finance and General Purposes Committee of that fact, 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 Finance and General Purposes Committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
  - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
  - ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
  - iii. Ensure that the public and press are excluded from meetings as appropriate.
  - iv. Ensure that the minutes of meetings preserve confidentiality.
  - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Finance and General Purposes Committee or otherwise) 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 Finance and General Purposes Committee shall have the power to:
  - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. 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 31 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.

## **30 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 as least three councillors.



## **31 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 being excluded from the meeting in accordance with standing orders.

***///INALC***