



# **COUNCIL STANDING ORDERS**

These Standing Orders were last reviewed by a meeting of Full Council on 05/02/2025

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**Standing orders are the rules by which the Town Council legally runs and operates.**

**Councillors and council staff have a duty to ensure they are followed and complied with at all times.**

**At any meeting, the Council may move a motion to suspend Standing Order(s) except those which reflect mandatory statutory requirements.**

## **1. Rules of debate at meetings**

- 1) All debate must be civil, relevant and not contain any offensive or slanderous language, words or implications. The Chairman (Mayor in the case of Full Council) must warn any councillor of any inappropriate tone or language, and direct them to moderate it as indicated under Standing Order 2.
- 2) 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 (Mayor in the case of Full Council).
- 3) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 4) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting (Mayor in the case of Full Council) as withdrawn.
- 5) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 6) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 7) If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- 8) An amendment shall not be considered unless verbal notice of the intention to propose an amendment is given with early notice which is defined by the Chairman of the meeting and where the proposer of the amendment has been given opportunity to speak and notify of their intention to raise an amendment.
- 9) A Councillor may move an amendment to their 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.
- 10) 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 (Mayor in the case of Full Council).

- 11) 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 (Mayor in the case of Full Council) of the meeting.
- 12) One or more amendments may be discussed together if the Chairman of the meeting (Mayor in the case of Full Council) considers this expedient but each amendment shall be voted upon separately.
- 13) A Councillor may not move more than one amendment to an original or substantive motion.
- 14) 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 of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- 15) Unless permitted by the Chairman of the meeting (Mayor in the case of Full Council), a Councillor may speak only twice in the debate on a motion except:
  - I. to speak on an amendment moved by another Councillor;
  - II. to move or speak on another amendment if the motion has been amended since he last spoke;
  - III. to make a point of order; or
  - IV. in exercise of a right of reply as a proposer.
- 16) During the debate of a motion, a Councillor may interrupt only on a point of order (a query in a formal debate or meeting as to whether correct procedure is being followed) 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 other irregularity in the proceedings of the meeting he is concerned by.
- 17) A point of order shall be decided by the Chairman of the meeting (Mayor in the case of Full Council) and their decision shall be final.
- 18) 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; or
  - IX. to suspend particular Standing Order(s) except those which reflect mandatory statutory requirements.

- 19) Before an original or substantive motion is put to the vote, the Chairman of the meeting (Mayor in the case of Full Council) 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.
- 20) Excluding motions moved understanding order 1(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the Chairman of the meeting (Mayor in the case of Full Council).

## **2. Disorderly conduct at meetings**

- a) No person or Councillor 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 any person or councillor disregard the request of the Chairman of the meeting (Mayor in the case of Full Council) to moderate or improve their conduct, any Councillor or the Chairman of the meeting (Mayor in the case of Full Council) may move that the person be no longer heard or may be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

If a resolution made under Standing Order 2(b) above is ignored, the chairman of the meeting (Mayor in the case of Full Council) may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **3. Meetings generally**

- Full Council meetings
  - Committee meetings
  - Sub-committee meetings
- a) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
  - b) The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
  - c) The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
  - d) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be

transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

- e) Members of the public may make representations, answer questions and give evidence at a meeting which they have been invited 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 (Mayor in the case of Full Council). Members of the public must make it clear at the very start that they wish to speak, to ensure the 15 minutes is not exceeded.
- g) Subject to Standing Order 3(f) above, a member of the public shall not speak for more than 2 minutes, except if they have been invited to do so under standing order 3(e) above.
- h) In accordance with Standing Order 3(f) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting (Mayor in the case of Full Council) may invite any councillor or officer to answer the question who is in a position to do so, or direct that a written response be given by the Chief Executive Officer or Chairman.
- i) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting (Mayor in the case of Full Council) shall direct the order of speaking.
- j) A person who speaks at a meeting shall direct his comments to the Chairman of the meeting (Mayor in the case of Full Council).
- k) Persons are entitled to:
  - I. Film, photograph or make an audio recording of a meeting;
  - II. Use any other means for enabling those persons not present to see or hear proceedings at a meeting as it takes place or later in a manner that is not disruptive to the meeting. Such disruption may lead to the suspension of the meeting;
  - III. Report or comment on the proceedings in writing during or after a meeting or orally report or comment after a meeting.

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.

- l) Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor of the Council may in their absence be done by, to or before the Deputy Mayor of the Council.
- m) The Chairman (Mayor in the case of Full Council), if present, shall preside at a meeting. If the Chairman (Mayor in the case of Full Council) is absent from a meeting, the Vice-Chairman (Deputy Mayor in the case of Full Council), if

present, shall preside. If both the Chairman (Mayor in the case of Full Council) and the Vice-Chairman (Deputy Mayor in the case of Full Council) are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

- n) 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.
- o) The Chairman of a meeting (Mayor in the case of Full Council) may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. *See Standing Orders 5(i) and (j) below for the different rules that apply in the election of the Mayor of the Council at the annual meeting of the council.*
- p) Voting on a question shall be by a show of hands. At the request of a Councillor and after a seconder, 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.
- q) 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.
- r) A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- s) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- t) No meeting of the Council should go beyond 22:00.

#### **4. Committees and Sub-Committees**

- a) Unless the Council determines otherwise, a Committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee, only within the existing terms of reference of that 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 and decision making powers;
  - 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 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 the ordinary members at a meeting of a committee if the ordinary members of the Committee confirm to the Proper Officer three 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 shall be no less 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 receive minutes of any meetings of the sub-Committee
  - XII. shall determine if the public may participate at a meeting of a sub-Committee that they are permitted to attend; and
  - XIII. may dissolve a Committee.
- e) The Council may also appoint a Working Group to discuss, investigate and make recommendations to a Committee or sub-Committee. Working Groups are informal bodies and may not be delegated any decision-making power.



## **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 the Council shall be held on such day in May as the council may direct.
- c) If no other time is fixed, the Annual Meeting of the Council shall take place at 7:30pm.
- 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 Mayor and Deputy Mayor of the Council.
- f) The Mayor, unless they have resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until their successor is elected at the next Annual Meeting of the council.
- g) The Deputy Mayor, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the council.
- h) In an election year, if the current Mayor has not been re-elected as a member of the council, they shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.
- i) In an election year, if the current Mayor has been re-elected as a member of the Council, they shall preside at the meeting until a new Mayor has been elected. They may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.
- j) Following the election of the Mayor and Deputy Mayor at the annual meeting of the council, the business of the annual meeting shall include:
  - I. In an election year, delivery by the Mayor 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 Mayor of their acceptance of office form unless the council resolves for this to be done at a later date;
  - II. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - III. Receipt of the minutes of the last meeting of a Committee;

- IV. Consideration of the recommendations made by a Committee;
- V. Review of delegation arrangements to Committees, sub-Committees, staff and other local authorities;
- VI. Review of the terms of reference for Committees;
- VII. Appointment of members to existing Committees;
- VIII. Appointment of any new Committees in accordance with Standing Order 4 above;
- IX. Review and adoption of appropriate Standing Orders and Financial Regulations;
- X. Review of arrangements, including any charters and agency agreements, 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. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- XIII. Review of inventory of land and assets including buildings and office equipment;
- XIV. Confirmation of arrangements for insurance cover in respect of all insured risks;
- XV. Review of the Council's and/or staff subscriptions to other bodies;
- XVI. Review of the Council's complaints procedure;
- XVII. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018;
- XVIII. Review of the Council's policy for dealing with the press/media; and
- k) determining the time and place of ordinary meetings of the Full Council up to and including the next Annual Meeting of Full Council.

## **6. Extraordinary meetings of the Council, Committees and sub-Committees**

- a) The Mayor may convene an extraordinary meeting of the council at any time, in accordance with the notice requirements under Standing Orders 3b & 3c.

- b) If the Mayor does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors. Notice of the meeting must be given in accordance with Standing Orders 3b & 3c.
- c) The Chairman of a Committee [or a sub-Committee] may convene an extraordinary meeting of the Committee [or the sub-Committee] at any time, in accordance with the notice requirements under Standing Orders 3b & 3c.
- 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 the sub-Committee], any two members of the Committee [and the sub-Committee] may convene an extraordinary meeting of a Committee [and a sub-Committee]. Notice of the meeting must be given in accordance with Standing Orders 3b & 3c.

## **7. Previous resolutions**

- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least three councillors to be given to the Proper Officer in accordance with Standing Order 10 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 six 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 casting vote of the Chairman of the meeting (Mayor in the case of Full Council).

## **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 it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- 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(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 9(b) 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 that it can be understood at least seven 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 (Mayor in the case of Full Council) 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) If the motion is duplicitous the Proper Officer may reject the motion and should advise the councillor putting forward the motion of his reasons.
- g) 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.
- h) Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- i) 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 a member of the public;
- XIII. to exclude a Councillor or member of the public for disorderly conduct;
- XIV. to temporarily suspend the meeting;
- XV. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
- XVI. to adjourn the meeting; or
- XVII. to close a meeting.

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

- a) Sensitive documents are only to be sent to members of the related Committee. At the discretion of the Chairman the sensitive documents may be sent to the wider Full Council members.
- b) The agenda, papers that support the agenda and the 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.
- c) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- d) Confidential or sensitive documents shall be shredded at the end of any Chamber Full Council or Committee meeting by a Council Officer.

## **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 draft minutes shall be moved in accordance with Standing Order 11
- c) (a)(i) above.
- d) 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 (Mayor in the case of Full Council) and stand as an accurate record of the meeting to which the minutes relate.
- e) If the Chairman of the meeting (Mayor in the case of Full Council) does not consider the minutes to be an accurate record of the meeting to which they

relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

- f) "The chairman of this meeting / The Mayor 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."
- g) 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. Code of conduct and dispensations**

**See also standing order 3(t) above.**

- a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council.
- b) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c) **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.**
- d) A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- e) 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.
- f) Subject to Standing Orders 14(d) and (f) above, dispensations 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.
- g) A dispensation may be granted in accordance with standing order 14(e) 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.
- h) Councillors must consider in accordance with the NOLAN principles whether they wish to participate in a discussion or vote where they have a personal or non-pecuniary interest. They may choose to participate in both the discussion and vote, or just participate in the discussion, but not vote. If a vote is taken, they will be considered an abstention if they have voting rights on the committee. They should make this clear in writing to the CEO before the meeting.

#### **14. Code of conduct complaints**

- a) Upon notification by the District Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Order 12 above, report this to the Council.
- b) Where the notification in Standing Order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 15(d) below.
- 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 District Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

#### **15. Proper Officer**

- a) The Proper Officer shall be either (i) the Town Clerk / Chief Executive or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer shall:

- I. at least three clear days before a meeting of the Council, a Committee and a sub-Committee serve on Councillors, by delivery, post or e mail at their residences, a signed summons confirming the time, place and the agenda.
- II. *See Standing Order 3(b) above for the meaning of clear days for a meeting of a full council and Standing Order 3 (c) above for a meeting of a committee.*
- III. give public notice of the time, place and agenda at least three 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);
- IV. *See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a Committee.*
- V. subject to Standing Order 10 above, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming his withdrawal of it;
- VI. convene a meeting of Full Council for the election of a Mayor, occasioned by a casual vacancy in his office;
- VII. facilitate inspection of the minute book by local government electors;
- VIII. receive and retain copies of byelaws made by other local authorities;
- IX. retain acceptance of office forms from Councillors;
- X. retain a copy of every Councillor's register of interests;
- XI. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 2018, in accordance with and subject to the council's policies and procedures relating to the same;
- XII. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- XIII. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- XIV. arrange for legal deeds to be executed;
- XV. *See also Standing Order 23 below*, arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's Financial Regulations;
- XVI. record every planning application notified to the Council and the Council's response to the local planning authority ;



- XVII. refer a planning application received by the council to the Mayor or in his absence the Deputy Mayor 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 Development Control Committee
- XVIII. manage access to information about the council via the publication scheme; and retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect. *See also standing order 23 below.*

## **16. Responsible Financial Officer**

- a) The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## **17. Accounts and accounting statements**

- a) "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England) and Financial Regulations issued by NALC 2016.
- b) All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c) The Responsible Financial Officer shall supply to each Councillor as soon as practicable before each Policy, and Finance Committee meeting in each year a statement to summarise:
  - I. the council's receipts and payments for each previous period;
  - II. the council's aggregate receipts and payments for the year to date;
  - III. the balances held at the end of the previous period being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - I. each Councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
  - II. to the Full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before

the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

## **18. Financial controls and procurement**

- a) The Council shall consider and approve Financial Regulations drawn up by the Proper Officer and 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 (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £30,000 (inclusive VAT).
- 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 shall be procured on the basis of a formal tender. The threshold for tender processes is set in the Financial Regulations.
- d) Neither the Council, nor a Committee or a sub-Committee with delegated responsibility for considering tenders, nor the CEO on delegated spend, is bound to accept the lowest value tender, but should always seek to secure the best value for money (including mitigating risk considerations such as workmanship, expertise and reliability).

## **19. Handling staff matters**

- a) A matter personal to a member of staff that is being considered by a meeting of the Personnel Committee is subject to Standing Order 12 above.
- b) Subject to the Council's policies, absence and day to day management of staff shall be handled by the Chief Executive Officer, in accordance with the delegated powers.
- c) The Chair of the Policy & Finance Committee and the Chair of the Personnel Committee shall conduct a review of the performance and annual appraisal of the work of the Chief Executive Officer, including issuing any contractual payments related to the CEO's performance.

- d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the CEO in respect of formal or informal grievance matters.
- e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Chief Executive Officer relates a Council Member the CEO/Town Clerk must lodge the grievance with the Principal Authorities Monitoring Officer.
- f) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g) The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 20(f) and (g) above if so justified.
- i) Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 20 (f) and (g) above shall be provided only to the Chief Executive Officer.

## **20. Requests for information**

- a) Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000, the Data Protection Act 2018 and the UK General Data Protection Regulations (GDPR)
- b) The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015

## **21. Responsibilities under Data Protection Legislation**

- 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 their 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.

## **22. Relations with the press/media**

- a) Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## **23. Execution and sealing of legal deeds**

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

- a) A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b) Subject to standing order 23(a) above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.

## **24. Communicating with District and County Councillors**

- a) An invitation to attend the Full Council meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the council. District or County Councillors will be invited to produce a verbal or written report which can be presented to Full Council under an associated agenda item specifically for their report.

## **25. Restrictions on Councillor activities**

- a) Unless authorised by a resolution, no Councillor shall:
  - I. inspect any land and/or premises which the council has a right or duty to inspect; or
  - II. issue orders, instructions or directions to any member of staff
  - III. negotiate or appear to represent the Council in contractual discussions, determine actions or make decisions on behalf of the Council

## **26. Standing orders generally**

- a) All or part of a Standing Order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least three Councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c) The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after he has delivered his acceptance of office form.
- d) The decision of the Chairman of a meeting (Mayor in the case of Full Council) as to the application of Standing Orders at the meeting shall be final.

## **27. Delegation of Powers to Chief Executive Officer**

- a) To be responsible for allocating and managing, directly or indirectly, the manpower resources of the Council.
- b) To be responsible for the works contained in the Council's revenue and capital budget.
- c) To undertake continuing reviews and appraisals of the various facilities and services provided by or on behalf of the Council and make recommendations to the relevant Committee.
- d) To implement the internal controls, in conjunction with nominated members of the Policy & Finance Committee.
- e) To be responsible for all matters relating to general staffing, grievance, disciplinary issues in accordance with the Council's established policy, other than for the Chief Executive Officer position.
- f) To determine and approve the establishment, job descriptions and grading of employees for the administration of the Council, other than the Chief Executive Officer position, in consultation with the Mayor and Chairman of the Policy & Finance Committee
- g) Responsible for the hiring arrangements of Town Council venues and facilities, complying with all Financial Regulations regarding amendment of leases, leasing of property and issuing of licenses.
- h) To take appropriate action on emergency matters, if time allows this should be done after consultation with Full Council.
- i) To set the strategic strategy for the Town Council.
- j) To undertake or delegate work to improve the appearance and enjoyability of the Town.
- k) To authorise members' attendance at conferences, courses and meetings within the budget and, in agreement with the RFO, pay to Councillors legitimate expenses directly incurred on duties of the Council. These must be assessed and authorised by both the CEO and RFO prior to the expenses being incurred.