

STOWEY SUTTON PARISH COUNCIL

Standing Orders

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Review

Date	Changes
3 rd May 2017	Approved and adopted by the Parish Council
2 nd May 2018	Approved and adopted by the Parish Council
1 st May 2019	Review Date

STOWEY SUTTON PARISH COUNCIL: STANDING ORDERS

These Standing Orders were adopted by the Council at its Meeting held on 2nd May 2018.

Standing Orders are our written rules. Some rules are required by law (these are in bold type); others have been adopted as good practice. They are used to confirm our organisational, administrative and procurement procedures and procedural matters for meetings. Our overall aim is to make our proceedings as transparent and efficient as we can, and as such meetings will be kept as informal as possible, within the bounds of statutory regulation.

MEETINGS GENERALLY

- 1.1. It is the duty of councillors to attend the meetings of Stowey Sutton Parish Council and, as well as stating their own views, to fairly represent the views and needs of the community.
- 1.2. **In addition to the statutory Annual Meeting of the Parish Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.** The time of the meeting of the Council is to be agreed at the Annual Parish Council Meeting for that year.
- 1.3. Meetings of the Council shall be held at 7.30pm on the first Wednesday of every month, unless the Council decides otherwise at a previous meeting.
- 1.4. **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.**
- 1.5. **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.**

ADMISSION OF THE PUBLIC / PRESS & PUBLIC PARTICIPATION

- 2.1. **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.**
- 2.2. There shall be a public surgery held at 7.15pm (before the meetings of the Council), which may last up to 15 minutes, or longer at the Chairman's discretion. A member of the public shall not speak for more than 5 minutes unless at the discretion of the Chairman.
- 2.3. Members of the public and press may make representations, ask and answer questions and give evidence on any matter affecting or of concern at the public session, by addressing the Chairman.
- 2.4. 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.
- 2.5. District Councillor Ward Members and representatives of the District Council, Police and other services or organisations may be invited to attend and make brief reports during the public session of a Council meeting, on matters affecting or of concern to the parish.
- 2.6. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted unless the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest.** The public are requested to notify the clerk if they intend to film a meeting in order that necessary arrangements can be made.

CONDUCT AT MEETINGS

- 3.1. All councillors and non-councillors with voting rights must observe the Code of Conduct adopted by the Council.

- 3.2. Councillors shall treat each other with mutual respect, listen to the points of view of others, and address the Chairman when speaking. If two or more councillors wish to speak, the Chairman shall decide who to call upon.
- 3.3. No-one shall obstruct the transaction of business at a meeting or behave offensively or improperly, or in such a manner as to bring the Council into disrepute. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- 3.4. 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.
- 3.5. If a resolution made under Standing Order 3.4 above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

DECLARATIONS OF INTEREST AND DISPENSATIONS

- 4.1. All members of the Council shall be issued with a copy of the Code of Conduct on joining the council and all members shall conform to the Code of Conduct. **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.** All members have to provide a record of their disclosable pecuniary interests in a public register of interest. Members must tell the Monitoring Officer at B&NES Council in writing within 28 days of taking office, or within 28 days of any change to the members register of interests of any interest which fall within the categories set out in the Code of Conduct.
- 4.3. Unless 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.
- 4.4. If a member has a non-pecuniary interest he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required. The member may speak on the matter and not vote.
- 4.5. **Dispensation requests shall be in writing and submitted to the Clerk** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 4.5. A dispensation request shall confirm:
 - 4.5.1. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - 4.5.2. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - 4.5.3. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - 4.5.4. an explanation as to why the dispensation is sought.
- 4.6. Subject to Standing Orders 4.5 and 4.6 above, dispensation requests shall be considered by the Clerk before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- 4.7. **A dispensation may be granted in accordance with Standing Order 4.9 below if, having regard to all relevant circumstances the following applies:**

- 4.7.1. **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**
 - 4.7.2. **granting the dispensation is in the interests of persons living in the Council's area or**
 - 4.7.3. **it is otherwise appropriate to grant a dispensation.**
- 4.8. A decision as to whether to grant a dispensation shall be made by the Clerk and that decision is final.

QUORUM OF THE COUNCIL

- 5.1. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than four.** Four councillors shall constitute a quorum at Stowey Sutton Parish Council meetings.
- 5.2. **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. The Clerk, in consultation with the Chairman and Vice Chairman shall be authorised to progress any business that is considered essential to the continued running of the Council (subject to s101 LGA1972).

For the quorum of a committee or sub-committee, see Standing Order 14.1.5.

ORDINARY COUNCIL MEETINGS

- 6.1. **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.**
- 6.2. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 6.3. The order of business at ordinary Council meetings shall be:
 - 6.3.1. To receive any apologies for absence and approve the reasons given
 - 6.3.2. To receive any declarations of interests or dispensations
 - 6.3.3. To approve the accuracy of the minutes of the last meeting. If the draft minutes have been circulated to councillors beforehand, they shall be taken as read.
 - 6.3.4. To receive and consider reports and minutes of committees
 - 6.3.5. To consider motions or recommendations
 - 6.3.6. To authorise payments
 - 6.3.7. To note the year to date budget and bank balances
- 6.4. A motion to vary the order of business on the ground of urgency, or for any other reason, may be proposed by the Chairman or by any councillor, and if proposed by the Chairman, may be put to the vote without being seconded; and shall be put to the vote without discussion.

HOW DECISIONS ARE MADE

- 7.1. **The Council and its Committees take decisions by means of voting on a motion at meetings. A motion is a proposal which is discussed and voted upon, and a simple majority decides. The outcome then forms a resolution upon which the Council acts.**
- 7.2. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event must 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.

- 7.3. Except as provided by these Standing Orders, no motion may be moved at a meeting unless the business to which it relates is on the agenda and the mover has given written notice of its wording to the Clerk at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- 7.4. Significant proposals shall be supported by a short paper explaining the recommendations, which will be published with the agenda for the meeting.
- 7.5. The Clerk may correct obvious grammatical or typographical errors in the wording of the motion.
- 7.6. If the Clerk considers the wording of a motion is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Clerk so that it can be understood at least 7 clear days before the meeting.
- 7.7. If the wording or subject of a proposed motion is considered improper, the Clerk 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.
- 7.8. Subject to Standing Order 7.6 above, the decision of the Clerk as to whether or not to include the motion on the agenda shall be final.
- 7.9. The following motions may be moved at a meeting without prior written notice to the Clerk;
 - 7.9.1. to correct an inaccuracy in the draft minutes of a meeting;
 - 7.9.2. to move to a vote;
 - 7.9.3. to defer consideration of a motion;
 - 7.9.4. to refer a motion to a particular committee or sub-committee;
 - 7.9.5. to appoint a person to preside at a meeting;
 - 7.9.6. to change the order of business on the agenda;
 - 7.9.7. to proceed to the next business on the agenda;
 - 7.9.8. to require a written report;
 - 7.9.9. to appoint a committee or sub-committee and their members;
 - 7.9.10. to extend the time limits for speaking;
 - 7.9.11. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
 - 7.9.12. to not hear further from a councillor or a member of the public;
 - 7.9.13. to exclude a councillor or member of the public for disorderly conduct;
 - 7.9.14. to temporarily suspend the meeting;
 - 7.9.15. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements); 7.9.16. to adjourn the meeting; or 7.9.17. to close a meeting.
- 7.10. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least **four** councillors to be given to the Parish Clerk in accordance with Standing Order 7.3 above, or by a motion moved in pursuance of the recommendation of a committee or a subcommittee.
- 7.11. When a motion moved pursuant to Standing Order 7.10 above has been disposed of, no similar motion may be moved within a further six months.

- 7.12. **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.**

HANDLING MOTIONS AND AMENDMENTS

- 8.1. 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.
- 8.2. A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- 8.3. 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.
- 8.4. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 8.5. 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.
- 8.6. 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.
- 8.7. 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.
- 8.8. Subject to Standing Order 8.9 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.
- 8.9. 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.
- 8.10. A councillor may not move more than one amendment to an original or substantive motion.
- 8.11. The mover of an amendment has no right of reply at the end of debate on it.
- 8.12. 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.
- 8.13. Unless permitted by the Chairman of the meeting, a councillor may speak once in the debate on a motion except:
- 8.13.1. to speak on an amendment moved by another councillor;
 - 8.13.2. to move or speak on another amendment if the motion has been amended since he last spoke;
 - 8.13.3. to make a point of order;
 - 8.13.4. to give a personal explanation; or
 - 8.13.5. in exercise of a right of reply.
- 8.14. 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 other irregularity in the proceedings of the meeting he is concerned by.
- 8.15. A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- 8.16. When a motion is under debate, no other motion shall be moved except:

- 8.16.1. to amend the motion;
 - 8.16.2. to proceed to the next business;
 - 8.16.3. to adjourn the debate;
 - 8.16.4. to put the motion to a vote;
 - 8.16.5. to ask a person to be no longer heard or to leave the meeting;
 - 8.16.6. to refer a motion to a committee or sub-committee for consideration;
 - 8.16.7. to exclude the public and press;
 - 8.16.8. to adjourn the meeting; or
 - 8.16.9. to suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- 8.17. 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.
- 8.18. Excluding motions moved under Standing Order 8.16 above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chairman of the meeting.

VOTING

- 9.1. **Voting 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 voted for or against that question, or abstained.** Such a request must be made before moving on to the next item of business on the agenda.
- 9.2. **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.**
- 9.3. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.
- See Standing Order 12.7 below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council
- 9.4 A secret ballot may be requested by at least two members when electing the Chairman, Vice Chairman or when voting on co-option.

MINUTES AND DRAFT MINUTES

- 10.1. The minutes of a meeting shall include an accurate record of the following:
- 10.1.1. the time and place of the meeting;
 - 10.1.2. the names of councillors present and absent;
 - 10.1.3. interests that have been declared by councillors and non-councillors with voting rights;
 - 10.1.4. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - 10.1.5. if there was a public participation session;

10.1.6. if the public were excluded for any part of the meeting, together with the reasons for their exclusion, and

10.1.7. the resolutions made.

- 10.2. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. Corrections to the minutes must be made by resolution and must be initialled by the Chairman.
- 10.3. 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.
- 10.4. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect: "The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [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."
- 10.5. 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.

CONFIDENTIAL BUSINESS AND SENSITIVE INFORMATION

- 11.1 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.
- 11.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

THE STATUTORY ANNUAL COUNCIL MEETING

- 12.1. **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.**
- 12.2. **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.**
- 12.3. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- 12.4. **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.**
- 12.5. **The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- 12.6. **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.**
- 12.7. **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.**
- 12.8. The order of business at the statutory Annual Council Meeting shall be:
- 12.8.1. **to elect a Chairman of the Council;**

- 12.8.2. **to receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received;**
- 12.8.3. to elect a Vice-Chairman of the Council;
- 12.8.4. to receive the Vice Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received;
- 12.8.5. **in an election year, to receive councillors' declarations of acceptance of office or, if not then received, to decide when they shall be received;**
- 12.8.6. in an election year, to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- 12.8.7. to appoint committees and working parties, and to review their terms of reference;
- 12.8.8. to appoint representatives to outside bodies;
- 12.8.9. to review and adopt Standing Orders and Financial Regulations
- 12.8.10. to review such other policies and procedures as may be necessary
- 12.8.11. to adopt a schedule of Council meetings up to and including the next statutory annual meeting and shall thereafter follow the order set out in Standing Order 6.3.

EXTRAORDINARY COUNCIL MEETINGS

- 13.1. **The Chairman may at their discretion summon an extraordinary meeting of Council.**
- 13.2. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.**

COMMITTEES

- 14.1. The Council may appoint standing committees or other committees as may be necessary, and:
 - 14.1.1. shall determine their terms of reference;
 - 14.1.2. shall permit a committee to determine the number and time of its meetings;
 - 14.1.3. shall, subject to Standing Orders 14.3 and 14.4, appoint and determine the terms of office of members of such a committee. A term of office may not exceed the next Annual Council Meeting;
 - 14.1.4. shall, after it has appointed the members of a committee, appoint the Chairman of the standing committee;
 - 14.1.5. shall determine the quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - 14.1.6. 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; and
 - 14.1.7. may dissolve a committee.
- 14.2. **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- 14.3. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

- 14.4. **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors, unless it is an advisory committee or sub-committee which regulates and controls the finances of the Council.**
- 14.5. The Chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- 14.6. If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 working days of having been requested by to do so by 2 members of the committee (or the sub-committee), any 2 members of the committee (and the sub-committee) may convene an extraordinary meeting of a committee (and a sub-committee).

PROPER OFFICER

- 15.1. The Proper Officer shall be the Parish Clerk.
- 15.2. The Council may appoint an appropriate person to undertake the work of the Proper Officer when the Proper Officer is absent.
- 15.3. The Clerk shall:
 - 15.3.1. **at least three clear days before a meeting of the Council, a committee and a sub-committee serve on councillors a summons, by email confirming the time, place and the agenda provided that any such email contains the electronic signature and title of the Clerk.**
 - 15.3.2. **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);**
 - 15.3.3. **convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - 15.3.3. have delegated authority to declare a casual vacancy;
 - 15.3.4. facilitate inspection of the minutes of Council and committee meetings by local government electors;
 - 15.3.5. **receive and retain copies of byelaws made by other local authorities;**
 - 15.3.6. retain acceptance of office forms from councillors;
 - 15.3.7. retain a copy of every councillor's register of interests;
 - 15.3.8. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
 - 15.3.9. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - 15.3.10. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
 - 15.3.11. arrange for legal deeds to be executed;
 - 15.3.12. 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;
 - 15.3.13. record every planning application notified to the Council and the Council's response to the local planning authority;

- 15.3.14. refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt, and to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council ;
- 15.3.15. keep proper records for all Council and committee meetings, and other Council business
- 15.3.16. manage access to information about the Council via the publication scheme; and

CODE OF CONDUCT COMPLAINTS

- 16.1. Upon notification by the District or County 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 Clerk shall, subject to Standing Order 11 above, report this to the Council.
- 16.2. Where the notification in Standing Order 16.1 above relates to a complaint made by the Clerk, the Clerk shall notify the Chairman of Council of this fact, and the Chairman shall nominate an appropriate person to assume the duties of the Clerk 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 16.4 below.
- 16.3. The Council may:
- 16.3.1. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- 16.3.2. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- 16.4. **Upon notification by the District or County 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.**

RESPONSIBLE FINANCIAL OFFICER

- 17.1. The Responsible Financial Officer shall be the Clerk.
- 17.2. The Council may appoint an appropriate person to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

ACCOUNTS AND ACCOUNTING STATEMENTS

- 18.1. "Proper practices" in Standing Orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- 18.2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- 18.3. The Responsible Financial Officer shall supply to each councillor as soon as practicable a statement to summarise:
- 18.3.1. the Council's receipts and payments for the previous month;
- 18.3.2. the Council's aggregate receipts and payments for the year to date;
- 18.3.3. the balances held at the end of the month being reported
- 18.3.4. and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 18.4. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- 18.4.1. each councillor with a statement summarising the Council's receipts and payments for the last month and the year to date for information; and
 - 18.4.2. 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.
- 18.5. 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 if subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June, or such date as the external auditors request.

FINANCIAL CONTROLS AND PROCUREMENT

- 19.1. 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:
- 19.1.1. the keeping of accounting records and systems of internal controls;
 - 19.1.2. the assessment and management of financial risks faced by the Council;
 - 19.1.3. 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;
 - 19.1.4. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - 19.1.5. The Councils Procurement Policy sets out a framework for dealing with contracts and tenders including the setting of values for different procedures where a contract has an estimated value of less than £10,000.
- 19.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 19.3. **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 £10,000 shall be procured on the basis of a formal tender as summarised in the council's Procurement Policy which must be followed at all times.**

ESTIMATES AND PRECEPT

- 20.1. The Parish Council shall endeavour to approve its budgets for the coming financial year at its meeting in the month of January.

HANDLING STAFF MATTERS

- 21.1. A matter personal to a member of staff that is being considered by a meeting of Council, is treated as confidential business and is subject to Standing Order 11 above.
- 21.2. The members of the HR Working Group shall conduct a review of the performance and annual appraisal of the work of the Clerk. The review and appraisal shall be reported in writing to the Parish Council and are subject to approval by resolution.
- 21.3. The Clerk shall conduct an annual appraisal of all other paid employees. These shall be reported to the Parish Council.
- 21.4. The Council's most senior member of staff shall notify the members of the HR Working Party of absence occasioned by illness or other reason which can be reported to the full council if required.
- 21.5. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman and HR Working Group in respect of an informal

or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.

- 21.6. Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by an employee relates to a member of the HR Working Group, this shall be communicated to another member of the HR Working Group, which shall be reported back and progressed by resolution of the Parish Council.
- 21.7. 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.
- 21.8. 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.
- 21.9. Only members of the HR Working Group shall have access to staff records referred to in Standing Orders 21.7 and 21.8 above if so justified.
- 21.10. Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 21.7 and 21.8 above shall be provided only to the post holder, the Clerk and the Chairman of the Council.

REQUESTS FOR INFORMATION

- 22.1. 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 and the Data Protection Act 1998.
- 22.2. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the Chairman of the Council. The said Chairman shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

RELATIONS WITH THE PRESS AND MEDIA

- 23.1. 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 by the Clerk, or in his absence, the Chairman.
- 23.2. Councillors shall not provide oral or written statements or written articles to the press or other media that purport, or may be construed, to be on behalf of the Council.

EXECUTION AND SEALING OF LEGAL DEEDS

- 24.1. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 24.2. **Subject to Standing Order 24.1 above, any two councillors may sign, on behalf of the Council, any deed required by law and the Clerk shall witness their signatures.**

The above is applicable to a Council without a common seal. See also Standing Orders 15.3.11 and 15.3.17 above.

RESTRICTIONS ON COUNCILLOR ACTIVITIES

- 25.1. Unless authorised by a resolution, no councillor shall:
 - 25.1.1. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - 25.1.2. issue orders, instructions or directions.

STANDING ORDERS GENERALLY

- 26.1. 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.

- 26.2. 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 5 councillors to be given to the Clerk in accordance with Standing Order 7.3 above.
- 26.3. The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.
- 26.4. The Clerk 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, and, shall publish them.