

ASHTON PARISH COUNCIL

Standing Orders

May 2013

Introduction

The Standing Orders for Ashton Parish Council that govern the organisation and transaction of the Council's business are decided by full Council. They are reviewed annually and re-adopted at the Annual Meeting of the Parish Council in May.

Standing Orders in **bold type** reflect statutory requirements and should not be ignored or substantively amended unless the legislation out of which they are born changes.

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.

Although these Standing Orders refer to financial matters, the regulation of the Council's financial affairs and its accounting procedures are governed by the Council's Financial Regulations, contained in a separate document. The Financial Regulations are also subject to annual review and re-adoption at the Annual Meeting of the Parish Council in May.

Index of Standing Orders

Standing Order		Page	Standing Order		Page
1	Meetings	4	20	Estimates/precepts	20
2	Ordinary Council meetings	7	21	Canvassing of and recommendations by councillors	21
3	Proper Officer	9			
4	Resolutions requiring written notice	11	22	Inspection of documents	21
5	Resolutions not requiring written notice	12	23	Unauthorised activities	22
6	Rules of debate	13	24	Confidential business	22
7	Code of conduct (England & Wales)	15	25	General Power of Competence (England)	22
8	Questions	16	26	Matters affecting council employees	23
9	Minutes	16			
10	Disorderly conduct	17	27	Freedom of Information Act 2000	24
11	Rescission of previous resolutions	17	28	Relations with the press/media	24
12	Voting on appointments	17	29	Liaison with County, District and Unitary Councillors	25
13	Expenditure	18			
14	Execution & sealing of legal deeds	18	30	Financial matters	25
15	Committees	18	31	Allegations of breaches of the code of conduct	26
16	Sub-committees	19	32	Variation, revocation and suspension of Standing Orders	27
17	Extraordinary meetings	19			
18	Advisory committees	20	33	Standing Orders to be given to councillors	27
19	Accounts and Financial Statement	20			

1 Meetings

- 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 **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**

- ● c **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.**

- d Subject to Standing Order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda during the period of time designated for public participation.

- e The period of time which is designated for public participation in accordance with Standing Order 1(d) above is at the Chairman's discretion.

- f Subject to Standing Order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.

- g In accordance with Standing Order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with Standing Order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
-   m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
-   n **In accordance with Standing Order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- o **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**

- p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

- q **Subject to model Standing Order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

- r **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also Standing Orders 2 (i) and (j) below.)**

- s **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.** Such a request shall be made before moving on to the next item of business on the agenda.

- t **The minutes of a meeting shall record the names of councillors present and absent.**

- u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**

● w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also Standing Orders 7 and 8 below.)**

● x **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 3.**

● y **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

● z **Meetings shall not exceed a period of 2.5 hours**

2 Ordinary Council meetings

See also Standing Order 1 above

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 6pm.**

- 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 *(Wales; Deleted by Ashton Parish Council)*
- f **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- g **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.**
- h **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.**
- i **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.**
- j **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.**
- k Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees, employees

and other local authorities.

- iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - vii. Review and adoption of appropriate Standing Orders and financial regulations.
- I The Council will prepare, maintain and update as necessary an annual Calendar to ensure that the following are carried out at least once in every period of 12 months
- i. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ii. Review of representation on or work with external bodies and arrangements for reporting back.
 - iii. In a year of elections, if a Council's period of eligibility to exercise the general power of competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
 - iv. Review of inventory of land and assets including buildings and office equipment.
 - v. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - vi. Review of the Council's and/or employees' memberships of other bodies.
 - vii. Establishing or reviewing the Council's complaints procedure.
 - viii. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998
 - ix. Establishing or reviewing the Council's policy for dealing with the press/media
 - x. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 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. Upon the Council having first 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 agenda of a meeting of the Council and a meeting of a committee at least 3 clear days before the meeting provided any such e-mail 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 (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) below, include in the agenda all resolutions in the order received unless a councillor has given written notice at least 4 clear 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 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. Advise the Chairman or in his absence the Vice-Chairman of the Council by e-mail within 2 working days of receipt by the Council of a planning application to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

4 Resolutions requiring written notice

- a In accordance with Standing Order 3(b)(iii) above, no resolution may be moved at a meeting unless it is included in the agenda.
- b The Proper Officer may, before including a resolution in the agenda received in accordance with Standing Order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the wording or nature of a proposed resolution is considered unlawful or 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 resolution shall be included or rejected in the agenda.
- d Having consulted the Chairman or councillors pursuant to Standing Order 4(c) above, the decision of the Proper Officer as to whether or not to include the resolution in the agenda shall be final.
- e Every resolution rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection.

- f Every resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Resolutions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds to be signed by two councillors and witnessed.
(See Standing Orders 14(a) and (b) below.)
 - xvii. To authorise payments up to £2500.
 - xviii. To amend a resolution relevant to the original or substantive resolution under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.

- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by Standing Orders.
 - xxiii. To suspend any Standing Order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
- b If a resolution falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Resolutions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to Standing Orders 4(a)–(e) above, a resolution shall not be considered unless it has been proposed.
- c Subject to Standing Order 3(b)(iii) above, a resolution included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A Councillor may move amendments to his own resolution.
- e Any amendment to a resolution shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.

- f Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a resolution shall be moved until the previous amendment has been disposed of.
- g Subject to Standing Order 6(f) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- h Pursuant to Standing Order 6(f) above, the number of amendments to an original or substantive resolution, which may be moved by a councillor, is limited to one.
- i If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- j The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- k Where a series of amendments to an original resolution are carried, the mover of the original resolution shall have a right of reply in respect of the substantive resolution at the very end of debate and immediately before it is put to the vote.
- l During the debate of a resolution, 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.
- m A point of order shall be decided by the Chairman and his decision shall be final.
- n With the consent of the meeting, a resolution or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said resolution or amendment unless permission for the withdrawal of the resolution or amendment has been refused.
- o When a councillor's resolution is under debate no other resolution shall be moved except:
 - i. to amend the resolution;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;

- iv. to put the resolution to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a resolution to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any Standing Order, except those which are mandatory.
- p In respect of Standing Order 6(o)(iv) above, the Chairman shall first be satisfied that the resolution has been sufficiently debated before it is put to the vote. The Chairman shall call upon the mover of the resolution under debate to exercise or waive his right of reply and shall put the resolution to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct (England)

See also Standing Orders 1(d)–(i) above

A revised statutory code of conduct is expected to come into force in 2010

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b All councillors should undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c ***Deleted; superceded by requirements of the Localism Act 2011.***
- d **Councillors with a pecuniary interest in relation to any item of business being transacted at a meeting must leave the room or chamber.**

Code of conduct (Wales)

Deleted by Ashton Parish Council

8 Questions

In accordance with the Council's policy 'Conduct of Business at Meetings' adopted by the Council at its meeting on 10 May 2010 (see Minute 66/2010 page 1196) and in accordance with the guidance on best practice set out in 'The Good Councillor's Guide' and to aid preparation and make for better informed debate, Councillors wishing to raise an item of business should provide details for Council members by way of a synopsis, in advance of the meeting. .

9 Minutes

In accordance with the Council's policy, adopted by the Council at its meeting on 5 January 2009 (see Minute 5, page 1123)

- a Draft Minutes of the monthly meeting of the full Council will be produced, for consideration by Councillors no later than the Friday of the week of the meeting (week 1)
- b Any comments by Councillors as to the accuracy of the draft Minutes must be returned to the Clerk no later than 10am on the Monday of the following week (week 2)
- c Draft Minutes, including any amendment to correct their accuracy will then be made available to the public no later than the Wednesday of week 2
- d The draft Minutes referred to in para c will be presented to the Council no later than the next full monthly meeting of the Council and once confirmed by resolution, shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate
- e Upon a resolution which confirms the accuracy of the Minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of Standing Order 10(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the resolution shall be put forthwith and without discussion.
- c If a resolution made in accordance with Standing Order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special resolution, the written notice whereof bears the names of at least 3 councillors of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.
- b When a special resolution or any other resolution moved pursuant to Standing Order 11(a) above has been disposed of, no similar resolution may be moved within a further 6 months.

12 Voting on appointments

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

favour of one person. Any tie may be settled by the Chairman's casting vote.

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
- b **The Council's Financial Regulations shall be reviewed at least 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.**

14 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.**

15 Committees

See also Standing Order 1 above

- a The Council may, at its annual meeting, appoint standing Committees and may at any other time appoint such other Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit Committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of Councillor or non-Councillor members of such a Committee (unless the appointment of non-Councillors is

- prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may permit substitute Councillors to attend a Committee
 - v. may in accordance with Standing Orders, dissolve a Committee at any time.
- b To ensure that Councillors, Officers or employees do not act alone or take decisions in isolation, when necessary an Emergency Committee may be convened. The Emergency Committee;
- i. will comprise a minimum of any 3 members and / or Officers of the Council; if available, the Chairman, Vice Chairman and Clerk must be present at any meeting of the Committee.
 - ii. has delegated powers to incur expenditure on behalf of the Council to a maximum of £5,000 without prior approval of the full Council.

16 Sub-committees

Deleted by Ashton Parish Council

17 Extraordinary meetings

See also Standing Order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**
- c The Chairman of a Committee may convene an extraordinary meeting of the Committee at any time.
- d If the Chairman of a Committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 Councillors, those 2 Councillors

may convene an extraordinary meeting of a Committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 Councillors.

18 Advisory committees

Deleted by Ashton Parish Council

19 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 ensure that the annual accounts of the Council are completed on a 'receipts and payments' basis as soon as practicable after 31st March each year. The accounts shall be placed before the full Council as unaudited, for approval, then signed by the Chairman and Responsible Financial Officer.
- c Following the annual external audit of the accounts the Responsible Financial Officer shall present the report of that audit to the Council and publicise the accounts as required by statute.

20 Estimates/precepts

- a **The Council shall approve written estimates** in the form of a budget **for the coming financial year** at its meeting before the end of January.
- 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 31st December.

21 Canvassing of and recommendations by Councillors

- a Canvassing Councillors or the members of a 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 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 If a candidate for any appointment under the Council is, to his knowledge related to any member of or to the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure.
- d This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a Committee, and request a copy for the same purpose. The Minutes of meetings of the Council and its Committees shall be available for inspection by Councillors.

23 Unauthorised activities

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

24 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A Councillor in breach of the provisions of Standing Order 24(a) above may be removed from a Committee by a resolution of the Council.

25 General Power of Competence (England)

- a **Before exercising the general power of competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria 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 which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 25(b) above.**

26 Matters affecting Council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council 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 policy regarding sickness absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Finance and General Purposes Committee at its next meeting.
- c The Chairman or in his absence, the Vice-Chairman shall conduct an annual review of the performance and/or appraisal of the Clerk / Responsible Financial Officer 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 the Finance and General Purposes Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Finance and General Purposes Committee at its next meeting.
- e Subject to the Council's policies regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by an employee' relates to the Chairman or Vice-Chairman, this shall be communicated to another member of the Finance and General Purposes Committee, which shall progress the matter in accordance with the relevant policy and / or procedure.
- 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 Chairman or Vice Chairman of the Council .

27 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.
- 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.

28 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 (see Minute 113, page 1214 and Appendix page 1215).

29 Liaison with District and County Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the Agenda, to the Councillor(s) of the District and County Council representing its electoral ward.

30 Financial matters

- a The Council shall arrange to draw up, consider and approve Financial Regulations, which shall be reviewed at least annually.
- 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.

31 Allegations of breaches of the Code of Conduct

- a On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer it to the Council.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman 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) 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) from disclosing information to members and officers

of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

- f The Council 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.

32 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 permanently add to or to vary or to revoke one or more of the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

33 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.