

Lathom South Parish Council

Standing Orders

Adopted December 2024

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INTRODUCTION

These standing orders are the written rules of the Parish Council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of the council are not the same as its policies but they may refer to them.

The statutory requirements to which the council is subject apply whether or not they are incorporated in its standing orders. It is not practical for the standing orders to document all statutory requirements, such as obligations under data protection legislation.

The standing orders do not include financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of the council. The financial regulations, which are in a separate document, include most of the requirements relevant to the council's Responsible Financial Officer. As this is a small Parish Council, the Clerk exercises this responsibility, as well as being the Proper Officer.

Any standing orders that are in bold type contain legal and statutory requirements. Those not in bold type are designed to help the council to operate effectively but they do not contain statutory requirements so they are there to suit the council's needs.

Note: In this document, the titles Chairman and Vice Chairman and all text are intended to be gender neutral.

1. THE ANNUAL GENERAL MEETING (AGM)

- b. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- c. 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 decides.**
- d. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- e. The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f. The Chairman of the Council, unless that person has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.**
- g. The Vice-Chairman of the Council, if there is one, unless that person resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, that person shall preside at the annual**

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 shall give a casting vote in the case of an equality of votes.

- i. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, that person shall preside at the annual meeting until a new Chairman of the Council has been elected. The current Chairman may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.
- j. Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include, in an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of that person's acceptance of office form unless the Council resolves for this to be done at a later date.

Notes: The agenda may also include any or all of the following items:

- Confirmation of the accuracy of the minutes of the previous meeting of the Council;
 - Receipt of the minutes of the latest meeting of a committee;
 - Consideration of the recommendations made by a committee;
 - Review of the terms of reference for committees;
 - Appointment of members to existing committees;
 - Appointment of any new committees in accordance with standing orders 5;
 - Review direct debits and standing orders;
 - 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;
 - Review of inventory of land and other assets including buildings and office equipment;
 - Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - Review of the Council's subscriptions to other bodies
- This list is not necessarily complete.

2. ORDINARY COUNCIL MEETINGS

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 decides.

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- 2a **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.**
- 2b **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.**
- 2c **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.**
- 2d **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.**
- 2e Members of the public may make representations, ask or answer questions and give evidence in respect of the business on the agenda, at a meeting which they are entitled to attend
- 2f The period of time designated for public participation at a meeting in accordance with standing order (e) shall not exceed four minutes unless directed by the Chairman of the meeting.
- 2g In respect of standing order (f), a member of the public shall not speak for more than fifteen minutes if allowed by the Chairman of the meeting.
- 2h In accordance with standing order (e) a question asked of the Council 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.
- 2i A person, when requesting to speak shall wait for a suitable silence, or raise a hand and wait for permission to speak. The Chairman of the meeting may at any time ask a person to stand when speaking, if conditions require it and the person is able to stand without discomfort.

- 2j Comments at a meeting shall be directed to the Chairman of the meeting.
- 2k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- 2l **Subject to standing order 2(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
 - 2m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - 2n **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.**
 - 2o **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 that person’s absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
 - 2p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**
 - 2q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors* present and voting.**
 - 2r **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 the casting vote whether or not having given an original vote.**

See standing orders 1(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- 2s **Unless standing orders provide otherwise, voting on a 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 their vote for or against that question.**

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

2t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. whether a councillor left the meeting when matters that they held interests in were being considered;
- iv. if there was a public participation session; and
- v. the resolutions made.

- 2u **A councillor* 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 that person's right to participate and vote on that matter.**

- 2v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

The quorum for full meetings of this Council is three.

- 2w **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.

2x A meeting shall not normally exceed a period of two and a half hours.

3. RULES OF DEBATE AT MEETINGS

3a 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.

3b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

3c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.

3d 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.

3e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion, as the vote will decide whether it passes or fails.

3f 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.

3g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the chair.

3h Councillors may move amendments to own motions 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.

3i 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.

3j Subject to standing order 3(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.

3k 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.

3l A councillor may not move more than one amendment to an original or substantive motion.

3m The mover of an amendment has no right of reply at the end of debate on it.

3n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

3o Unless permitted by the Chairman of the meeting a councillor may speak once in the debate on a motion except:

- to speak on an amendment moved by another councillor;
- to move or speak on another amendment if the motion has been amended since the councillor last spoke;
- to make a point of order;
- to give a personal explanation; or
- to exercise a right of reply.

3p During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which that person

considers has been breached or specify the other irregularity in the proceedings of the meeting concerned

3q A point of order shall be decided by the Chairman of the meeting, whose decision shall be final.

3r When a motion is under debate, no other motion shall be moved except:

- i. to amend, but not to negate, 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) excepting those which reflect mandatory statutory or legal requirements.

3s 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/her/their right of reply.

3t Excluding motions moved under standing order 3(r), 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.

NOTE: Planning applications will appear as an item on the agenda of full Council meetings and any notified to the Council after publication of the agenda and before the meeting takes place may be considered at the meeting. This is to enable the Council to meet the planning authority's deadline for comments to be received.

4. DISORDERLY CONDUCT AT MEETINGS

4a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.

4b If person(s) disregard this request, any councillor or the Chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

4c If a resolution made under standing order b) is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

5. COMMITTEES, SUB-COMMITTEES AND WORKING PARTIES

5a The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.

5b Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

5c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

5d For committees and sub committees, reference to councillors refers also to non councillors with voting rights when marked with an asterisk *.

5e The Council may dissolve or alter the membership of a committee or a sub-committee.

5f Small working parties may be set up to consider and report on individual issues. Their working arrangements will be decided by their members but reports back to the main council must be unanimous.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

6a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

6b If the Chairman of the Council does not 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 shall be signed by the two councillors.

6c The Chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

7. PREVIOUS RESOLUTIONS

A resolution may be changed or reversed in the light of new information or a change of circumstances. This must be done at an ordinary meeting, or at an extraordinary meeting, of the Council.

8. VOTING ON APPOINTMENTS

See standing order 19. Where it has not been possible to reach a majority of votes in favour of one candidate, the merits of the candidates and their suitability to take on the role will be decided by a vote of the whole Council, with members of the press and public excluded. A tie in votes may be settled by the casting vote of the Chairman of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

9a No motion may be moved at a meeting unless the subject of the motion is on the agenda. It shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically the Council's area or its residents, either directly or indirectly.

9b 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 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

9c The Proper Officer will include such a notice on the agenda for the relevant meeting, correcting obvious grammatical or typographical errors in the wording of the motion, subject to the following provisions.

9d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least five clear days before the meeting.

9e Notice of the motion must be received in time (see standing order 9b) to be included on the agenda of the meeting for which it is intended.

9f If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

9g The decision of the Proper Officer, having consulted the Chairman of the meeting, as to whether or not to include the motion on the agenda shall be final.

9h Motions received shall be recorded and numbered in the order that they are received.

9i Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

In order to make reasonable progress with items that are on the agenda, discussion might lead to an obvious consensus in favour of a particular course of action. In such circumstances the Chairman may ask for confirmation of the consensus and, if there are no objections, declare that it has been resolved. In the absence of an absolute consensus, the Chairman shall take a vote of the councillors present.

10a 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 other 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 or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

11a The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

11b The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

11c The agenda, papers that support the agenda and the minutes of a meeting shall

not disclose or otherwise undermine confidential information or personal data without legal justification.

11d Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.

12. DRAFT MINUTES

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

12a 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.

12b 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 10(a)(i).

12c 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.

- 12d **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
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13. CODE OF CONDUCT AND DISPENSATIONS

See also standing orders 2u and 5d

** means “or non councillor with voting rights”*

13a All councillors* shall observe the code of conduct adopted by the Council.

13b Unless a councillor* has been granted a dispensation, that person shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. The Councillor may return to the meeting after it has considered that matter.

13c Unless granted a dispensation, a councillor* shall withdraw from a meeting when it is considering a matter in which that person has another interest, if so required by the Council’s code of conduct. The Councillor may return to the meeting after it has considered that matter.

13d 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.

13e A decision as to whether to grant a dispensation shall be made by the voting members of the meeting concerned and that decision is final.

13f 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.

13g Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.

13h A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:

- 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;**
- 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.**

14. CODE OF CONDUCT COMPLAINTS

14a Upon notification by the District or Unitary 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 11, report this to the Council.

14b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another person 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 14(d).

14c The Council may:

- i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;

- ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

14d Upon notification by the District or Unitary 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.

15. PROPER OFFICER

15a The Proper Officer shall be (i) the Clerk or (ii) another person nominated by the Council (substitute) to undertake the work of the Proper Officer when the Proper Officer is absent.

15b The Proper Officer shall:

- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See standing order 2b for the meaning of clear days for a meeting of a full council and standing order 2c for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 4 days before the meeting confirming his/her/their withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- vi. hold acceptance of office forms from councillors;
- vii. remind councillor's, on an annual basis, to complete register of interests forms electronically via a link sent by the Borough Council;
- viii. assist with responding to requests made under freedom of information

legislation and rights exercisable under data protection legislation

- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
(see also standing order 23);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. forward the planning application list notified to the Council by the Borough Council and the Council's response to the local planning authority will be recorded in the minutes of the ensuing Parish Council meeting;
- xiv. manage access to information about the Council via the publication scheme; and
- xv. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also standing order 23).

A substitute, depending on the duration for which the permanent Proper Officer is unavailable, will be responsible (as a minimum) for ensuring compliance with the text printed in bold type under this section and report any concerns to the Chairman of the Council about any of the above-listed items that could cause embarrassment to the Council, if not attended to before the permanent Proper Officer becomes available.

16. RESPONSIBLE FINANCIAL OFFICER

16a The Clerk is the Responsible Financial Officer.

16b The Council shall appoint a substitute to undertake the essential work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

17a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".

17b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

17c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to

summarise:

- i. the Council's receipts and payments (or income and expenditure) for each quarter;
- ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
- iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

17d 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 (or income and expenditure) for the last quarter and the year to date for information; and
- ii to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

17e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

18a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;
- ii. the assessment and management of financial risks faced by the Council;
- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
- v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement

exercise.

18b Financial regulations shall be reviewed regularly asset out in the Financial Regulations any change of clerk or RFO.’

18c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).

18d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
- ii. an invitation to tender shall be drawn up to confirm (i) the Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council’s written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
- iii. the invitation to tender shall be advertised in a local newspaper and/or in any other manner (e.g council website) that is considered to be appropriate;
- iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

18e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

18f Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC’s procurement guidance contains further details.

19. HANDLING STAFF MATTERS

19a A matter personal to a member of staff that is being considered by a meeting of Council or a Personnel Committee is subject to standing order 11.

19b Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

19c. Other matters, such as recruitment and appraisal are the subject of a separate document.

19d. Recommendations applying to contractual matters are subject to the procedure set out in that document and approval by the full council.

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

20a In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

20b [If gross annual income or expenditure (whichever is higher) does not exceed £25,000] **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

20c [If gross annual income or expenditure (whichever is higher) is between £25,000 and £200,000] **The Council shall publish information in accordance with the requirements of the The Local Audit and Accountability Act 2014 and the Accounts and Audit Regulations 2015.**

20d If gross annual income or expenditure (whichever is the higher) exceeds £200,000] **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

(Below is not an exclusive list).

See also standing order 11.

21a The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.

21b The Council shall have a written policy in place for responding to and managing a personal data breach.

21c 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.

21d 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.

21e The Council shall maintain a written record of its processing activities.

22. RELATIONS WITH THE PRESS/MEDIA

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).

23a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

23b Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

24a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillors of the District and County Councils

24b Unless the Council determines otherwise, a copy of each letter sent to the District or County Council shall be sent to the ward councillor(s) representing the appropriate Council.

25. PLANNING MATTERS

25a For Local Plan consultation phases the Council shall consider setting up a working party to go through the proposals in detail and make recommendations to the full council.

25b For planning applications notified to the council (see also the note underneath standing order 3t), the Clerk shall record as soon as practicable as part of the minutes :

the address to which it applies

the application number (further details appear on the Borough Council website)

25c Planning applications notified to the Council will be included in the Clerk's weekly bulletin to councillors

26. RESTRICTIONS ON COUNCILLOR ACTIVITIES

No member of the Council or of any committee shall in the name of or on behalf of Council inspect any lands or premises, or attend meetings, which the Council has a right or duty to

inspect or issue orders, instructions or directions unless authorised to do so by the Council.

27. STANDING ORDERS GENERALLY

27a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

27b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least two councillors to be given to the Proper Officer in accordance with standing order ?

27c The Proper Officer shall provide a copy of the Council's current standing orders to a new councillor as soon as possible and, upon request, to one or more existing councillors. After amendment, only the amended standing orders need to be provided to all Councillors, unless it is more prudent to supply complete copies.

27d The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.

END

BASED ON MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022

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