



EYNSFORD PARISH COUNCIL

Standing Orders

1. ORGANISATIONAL STRUCTURE

- a. The highest, executive, tier of the Parish Council shall be known as the Full Council.
- b. The second tier shall be the Committee tier, within which there shall be five Committees:
 - i. Planning;
 - ii. Highways & Transportation;
 - iii. Community;
 - iv. Open Spaces;
 - v. Facilities & Environment.
- c. The third tier shall be the Sub-committee tier. See Schedule C.
- d. In addition, Project Teams or Working Groups may be identified from time to time, and approved by the Full Council, to implement projects of finite existence. A list of current projects shall constitute Schedule A to these Standing Orders and be kept up to date.

2. MEMBERSHIP OF COUNCIL & COMMITTEES

- a. The Full Council shall consist of all Councillors and only Councillors.
- b. The Planning Committee shall consist of only Councillors. The Planning Committee may use delegated authority to make planning or tree work responses on behalf of the council when timing is an issue. The Planning Committee may also ask the Tree Wardens to make responses on their behalf.
- c. The remaining Committees shall consist of at least three Councillors, plus the Chairman and Vice-chairman of the Full Council as ex-officio members. These Committees may contain non-Councillors, but these will remain in the minority, i.e. no more than four and no more than would bring membership of that Committee to more than eleven.
- d. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- e. Sub-committees shall consist of at least two Councillors, plus the Chairman and Vice-chairman of the Full Council and the Chairman of the governing Committee as ex-officio members. These Sub-committees may contain non-Councillors, but no more than would bring the membership of that Sub-committee to more than nine.

- f. All nominations for non-Councillor membership of Committees and Sub-committees shall be presented to the Full Council at the Statutory Annual Meeting for approval. Any proposed additions or deletions to non-Councillor membership shall be approved at the first available Full Council Meeting. Non-Councillors shall not become members of a Committee or Sub-committee prior to this approval.
- g. Working Groups shall consist of at least two Councillors. These Working Groups may contain non-Councillors and be of any size commensurate to achieving the objectives of the project.
- h. The Chairmen of Committees, Sub-committees and Working Groups shall maintain an up-to-date register of Councillors and non-Councillor members as Appendix A to these Standing Orders.

3. REPORTING LINES

- a. All Committees shall submit minutes, containing clear decisions and recommendations, to the Full Council for approval. Only financial expenditure and decisions set out in Section 8 may be made prior to approval.
- b. All Sub-committees shall submit brief minutes, containing clear recommendations, to their respective governing Committee for approval. These will, in turn, be submitted with the minutes of the Committee, for approval by the Full Council. No financial expenditure shall be made prior to this approval, neither shall policy decisions be followed prior to such agreement.
- c. As projects are finite by nature and may be subject to tight time scales, they shall report directly to the Full Council, where resolutions may be made. As regards finance and policy, rule 3b will equally apply to Working Groups.

4. RULES OF DEBATE AT MEETINGS

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded by show of hands, or, at the discretion of the Chairman, by secret ballot.
- c. When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;

- vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- d 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.

5. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(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.

6. MEETINGS GENERALLY

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

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

- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), 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.
- i Subject to standing order 3(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.
- j A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- k The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- l Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- m 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.
- n Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- o 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.
- p 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- q The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with

- iv. voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- r A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
 - s No business may be transacted at a meeting unless the Council is quorate, and in no case shall the quorum of a meeting be less than four for the full council or three for a committee or sub-committee.
 - t 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.

7. ORDINARY COUNCIL MEETINGS

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- b In a year which is not an election year, the annual meeting of the Council shall be held immediately prior to the May full Council meeting.
- c The annual meeting of the Council will take place at 7.30pm, or any other time that the Council shall determine after 6pm.
- d In addition to the annual meeting of the Council, the Council will meet montly at 8pm, unless otherwise agreed.
- 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 he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the 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, he shall preside at the annual 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 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:
 - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - iv. Review of the terms of reference for committees;
 - v. Appointment of members to existing committees;
 - vi. Appointment of any new committees in accordance with standing order 4;
 - vii. Review and adoption of appropriate standing orders and financial regulations;
 - viii. Review of arrangements (including legal agreements), where applicable, with other local authorities, not-for-profit bodies and businesses.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back, where applicable;
 - x. 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;
 - xi. Review of inventory of land and other assets including buildings and office equipment;
 - xii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xiii. Agree a schedule to review the Council's and/or staff subscriptions to other bodies;
 - xiv. Agree a schedule to review of the Council's complaints procedure;
 - xv. Agree a schedule to review the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
 - xvi. Agree a schedule to review the Council's policy for dealing with the press/media;
 - xvii. Agree a schedule to review the Council's employment policies and procedures;
 - xviii. Agree a schedule to review the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
 - xix. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

- k At an ordinary meeting of the council, the order of business shall be as follows:
 - i. Apologies for absence
 - ii. Chairman's Remarks

- iii. Governance (include Declarations of Interest, the filling of any vacancies, approval of minutes and financial statements, receipt of the annual report, and any other business required by statute)
 - iv. Planning
 - v. Highways & Transportation
 - vi. Community
 - vii. Open Spaces
 - viii. Facilities & Environment
 - ix. Project related items should be included under the most relevant agenda heading.
- I A decision to vary the order of business on the grounds of urgency, or in the interest of guests or members of the public present, may be taken by the Chair.

8. COMMITTEE, SUB-COMMITTEE & PROJECT TEAM/WORKING GROUP MEETINGS

- a The following committees shall be formed by the parish council: Planning; Highways & Transportation; Community; Open Spaces; Facilities & Environment.
 - i. All committees are empowered to make necessary decisions on behalf of the council with relation to their individual remits only (as set out in Appendix A).
 - ii. All committees are empowered to make financial decisions and commitments within budget to an amount of no greater than £1500 per item. All decisions outside of budget or over £1500 must be referred to the full council.
 - iii. Only councillors may vote on matters resulting in a financial commitment.
 - iv. Committee Meetings shall normally be held monthly, but will each meet at least 6 times a year, normally at 8pm.
- b. Sub-committee Meetings shall be held as and when called by the governing Committee and at a time and place appropriate to attendance by the Sub-committee members. Sub-committee Meetings shall not necessarily be open to the general public.
- c. Working Group members shall hold Meetings at a time and place appropriate to their attendance. Working Group Meetings will not normally be open to the general public. At the end of a project a special meeting shall be held to wind it down and to recommend to the Full Council how to best make use of the collateral and resources accumulated.
- d. Where matters to be discussed in a Full Council or Committee meeting are deemed to be confidential, sensitive or procedural in nature, a decision may be taken to exclude the public and the press.

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

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

- b. If the Chairman of the Council does not 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.

10 CHAIRMANSHIP

- a. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- b. A Councillor shall chair all Committees, Sub-committees and Project Teams.
- c. The Chairman of the Parish Council, as elected at the Statutory Annual Meeting, shall chair the Full Council. In his/her absence, the Vice-chairman of the Parish Council shall chair these meetings.
- d. The Committee Chairmen as elected at the first Committee Meeting following the Statutory Annual Meeting shall chair the remaining Committees.
- e. The Sub-committee Chairmen as elected at the first Sub-committee Meeting following the governing Committee Meeting following the Statutory Annual Meeting shall chair the Sub-committees. This Chairman shall not necessarily be the same person who chairs the governing Committee.
- f. The Project Manager appointed at the Full Council Meeting at the time of formation shall chair a Project Team.
- g. In the absence of a Chairman, as described in rules 10a to 10f, the Councillors present shall elect a Chairman from amongst themselves as the first item of business. In the absence of an eligible Councillor the meeting will be postponed.

11. PREVIOUS RESOLUTIONS

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b. When a motion moved pursuant to standing order 11a has been disposed of, no similar motion may be moved for a further six months.

12. VOTING ON APPOINTMENTS

- a. Where more than two persons have been nominated for a position to be filled by the

Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda. The Proper Officer may, before including a motion on the agenda correct obvious grammatical or typographical errors in the wording of the motion.
- c 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.
- d The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

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

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or 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.

15. MANAGEMENT OF INFORMATION

- a 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.
- b 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).
- c 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.
- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

16. DRAFT MINUTES

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

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
"The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes

- are confirmed as an accurate record of the proceedings.”
- e Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following 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.

17. CODE OF CONDUCT AND DISPENSATIONS

- a The Clerk will compile and hold a Register of Members Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority. Councillors must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary interest.
- b All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- d 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.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f 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.
- g 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.

- h If a member reasonably believes another member is in breach of the Code of Conduct, that member is under duty to report the breach to the local authority Monitoring Officer in the first instance.

18. CODE OF CONDUCT COMPLAINTS

- a 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.

19. PROPER OFFICER

- a The Proper Officer shall be the clerk.
- b The Proper Officer shall:
 - i. at least three clear days before a meeting of the council, a committee or a sub-committee,
 - a. 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
 - b. 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).
 - ii. convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iii. facilitate inspection of the minute book by local government electors;
 - iv. receive and retain copies of byelaws made by other local authorities;
 - v. hold acceptance of office forms from councillors;
 - vi. hold a copy of every councillor's register of interests;
 - vii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - viii. liaise, as appropriate, with the Council's Data Protection Officer;
 - 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;
 - 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. manage access to information about the Council via the publication scheme; and
 - xiv. make a planning response, only where councillors are unable to meet at a

scheduled meeting, or at an extraordinary meeting; and, may respond to tree work applications or TPO proposals on behalf of the council subject to consultation with Eynsford's Tree Warden/s, whenever there is insufficient time for the Council to respond.

20. RESPONSIBLE FINANCIAL OFFICER

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

21. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December (or at other agreed intervals) 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.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (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 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and 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.

22. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the 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.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. 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 in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
- d. 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 in any other manner that is 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.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of

£4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.

- g. A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

23. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council OR the Grievance and Disciplinary committee is subject to standing order 15.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman s/he is not available, the vice-chairman of absence occasioned by illness or other reason.
- c Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chairman or in her/his absence, the vice-chairman the council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Grievance and Disciplinary Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the chairman or vice-chairman of the council, this shall be communicated to another member of the Grievance and Disciplinary committee, which shall be reported back and progressed by the aforementioned committee.
- e 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.
- f In accordance with standing order 15(a), persons with line management responsibilities shall have access to staff records referred to in standing order 23(e).

24. RESPONSIBILITIES TO PROVIDE INFORMATION

- a 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.

25. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

- a The Council may appoint a Data Protection Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- c The Council shall have a written policy in place for responding to and managing a personal data breach.
- d The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f The Council shall maintain a written record of its processing activities.

26. RELATIONS WITH THE PRESS/MEDIA

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

27. EXECUTION AND SEALING OF LEGAL DEEDS

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

The above is applicable to a Council without a common seal.

28. STANDING ORDERS GENERALLY

- a 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.

- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Updated 21st January 2021