

Standing Orders

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1. INTRODUCTION

This document is based on “Version two of Model Standing Orders 2018 (England) updated in April 2022” published by the National Association of Local Councils.

These Standing Orders are the rules under which Chearsley Parish Council (“the Council”) conducts its business. They are supplemented by a set of Council Policies and Procedures

Local councils operate within a wide statutory framework. These Standing Orders incorporate and reference many statutory requirements to which all councils are subject although it is not possible for them to contain or reference all such statutory or legal requirements.

Text within this document that contains legal and statutory requirements is indicated in bold type.

The Standing Orders do not include regulations related to Financial and Procurement matters. These are contained in separate Council Financial Procedures and Procurement Procedures

Where the term “Proper Practices” appears in these Standing Orders it refers to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.

For convenience, and, unless the context suggests otherwise, the word “councillor” as used here includes a non-councillor, including officers, with or without voting rights.

The Council will appoint a Vice Chair at its Annual Meeting

2. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear on the agenda unless the order is changed at the discretion of the Chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- d An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- e 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.
- f An amendment may be proposed at any time up to the time at which the motion is put to the vote.
- g A councillor may move an amendment to his/her own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- h If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair of the meeting.
- i Subject to Standing Order 2k, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.

- j One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
- k A councillor may not move more than one amendment to an original or substantive motion.
- l A point of order may be raised at any time during discussion of a motion. It will be decided on by the Chair of the meeting and his/her decision will be final.
- m 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.
- n Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated.

3. 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 Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair 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 3b is ignored, the Chair 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.

4. MEETINGS GENERALLY

The Council normally conducts its business through Full Council Meetings and, when required, informal committee meetings. The provision in this section apply only to Full Council meetings: informal committee meetings may determine their own way of working. The Council may however, where it considers circumstances justify it, establish a Formal Committee which will then be subject to all the provisions of these Standing Orders that apply to full Council meetings, unless indicated to the contrary.

- 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 **A minimum notice of a meeting shall be given as laid down in Standing Order 15a. This 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 **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 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.
- e The period of time designated for public participation at a meeting in accordance with Standing Order 4e shall not exceed two periods of 10 minutes as indicated on the agenda unless otherwise directed by the Chair of the meeting.
- f Subject to Standing Order 4f a member of the public shall not speak for more than 5 minutes.
- g In accordance with Standing Order 4e a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- h A person shall raise his/her hand when requesting to speak and may sit or stand when speaking.
- i A person who speaks at a meeting shall direct his/her comments to the Chair of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- k **Subject to Standing Order 4m, 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.**
- l **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- m **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.**
- n **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence**

be done by, to or before the Vice-Chair of the Council.

- o The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- p 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.**
- q The Chair 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/her casting vote whether or not he/she gave an original vote. Different rules apply to the election of the Chair of the Council at the annual meeting of the Council. See Standing Orders 6h and 6i.**
- r 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/her vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- s 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 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.
- t 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/her right to participate and vote on that matter.**
- u 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.**
- v If a meeting is or becomes inquorate no further business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

5. COMMITTEES AND SUB-COMMITTEES

- a Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- c Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

6. ANNUAL AND 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 on such day in May as the Council decides.
- 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 decides.
- e The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.
- f The Chair of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.
- g The Vice-Chair of the Council, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair 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 Chair of the Council has been re-elected as a member of the Council, he/she shall preside at the annual meeting until a new Chair of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- j Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include, in addition to standard regular agenda items:
- k **In an election year, delivery by the Chair 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 Chair of the Council of his/her acceptance of office form unless the Council resolves for this to be done at a later date;**
 - i. Review of delegation arrangements to formal committees and other officials

- ii. Review of the terms of reference for formal committees;
- iii. Appointment of members to existing formal committees;
- iv. Review and adoption of Standing Orders, financial regulations and procedures/ policies;
- v. 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;
- vi. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- vii. Review of the Council's and/or staff subscriptions to other bodies;
- viii. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- ix. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

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

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair 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.**

8. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months of its adoption except either by a special motion, which requires written notice by at least five councillors to be given to the Clerk in accordance with Standing Order 10, or by a motion moved in pursuance of the recommendation of a formal committee.
- b When a motion moved pursuant to Standing Order 8(a) has been disposed of, no similar motion may be moved for a further six months.

9. 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 Chair of the meeting.

10. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE CLERK

- 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 proposed at a meeting unless it is on the agenda and the proposer has given written notice of its wording to the Clerk at least five clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Clerk may, before including a motion on the agenda received in accordance with Standing Order 10b correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Clerk considers the wording of a motion received in accordance with Standing Order 10b is not clear in meaning, the motion may be rejected by the Clerk and the proposer shall re-submit a suitably worded alternative. This alternative shall be submitted at least five clear days before the meeting
- e If the wording or subject of a proposed motion is considered improper, the Clerk shall consult with the Chair 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.
- f The decision of the Clerk as to whether or not to include the motion on the agenda shall be final.
- g Motions received for discussion shall be recorded on the agenda under an appropriate agenda item heading.
- h Motions rejected shall be recorded with an explanation by the Clerk of the reason for rejection.

11. MANAGEMENT OF INFORMATION

See also Standing Order 20

- 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.**

12. MINUTES

- a Initial Draft Minutes for each full meeting of the Council will be produced by the Clerk within 10 days of the meeting and sent to the Chair and Vice Chair for review. The Chair and Vice Chair will respond with any errors or omissions within three days, or other longer time as indicated by the Clerk.
- b The Clerk will then serve the Draft Minutes on all Councillors within a further 3 days. The Draft Minutes will accordingly be taken as read. There shall be no discussion about the draft minutes at the next meeting except in relation to their accuracy.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by a vote at the next meeting and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d **The approved minutes for each meeting will be placed on the Council's website not later than one month after the meeting to which they refer has taken place.**

13. CODE OF CONDUCT AND DISPENSATIONS

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she 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/she has a disclosable pecuniary interest, or has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- c **Dispensation requests shall be in writing and submitted to the Clerk** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- d A decision as to whether to grant a dispensation shall be made by the meeting of the Council for which the dispensation is required and that decision is final.
- e A dispensation request shall indicate:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- f Subject to Standing Orders 13c and 13e, a dispensation request shall be considered at the beginning of the meeting of the Council which the dispensation is required.
- g **A dispensation may be granted in accordance with Standing Order 13d 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

- a 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 Clerk shall, subject to Standing Order 11, report this to the Council.
- b Where the notification in Standing Order 14a relates to a complaint made by the Clerk, the Clerk shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Clerk in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 14d.
- c 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;
- d 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. Clerk

The Clerk is responsible for calling and facilitating full meetings of the Council. The Clerk will:

- a at least three clear days before a full meeting of the council, where clear days are as defined in Standing Order 4b:
 - i. **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Clerk thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - ii. **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).**
- b subject to Standing Order 10, include on the agenda all motions agreed for discussion at the meeting unless a councillor has given written notice at least five days before the meeting confirming his/her withdrawal of it;
- c **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her office;**

- d **facilitate inspection of the minute book by local government electors;**
- e **receive and retain copies of byelaws made by other local authorities;**

As part of their duties the Clerk will also:

- f hold acceptance of office forms from councillors;
- g hold a copy of every councillor's register of interests;
- h 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;
- i liaise, as appropriate, with the Council's Data Protection Officer;
- j receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- k 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);
- l arrange for legal deeds to be executed as more fully described in Standing Order 23;
- m maintain a record of every planning application notified to the Council and the Council's response to the local planning authority in a format agreed with the Council;
- n refer all planning applications received by the Council to the councillor nominated by the Council to oversee planning matters within two working days of receipt to facilitate organisation of a site visit if deemed necessary and the view of the Council on the application being reported to the next full meeting of the Council;
- o manage access to information about the Council via the Council publicity channels;
- p retain custody of the seal of the Council if acquired which shall not be used without a resolution to that effect.

16. RESPONSIBLE FINANCIAL OFFICER

The Council will appoint an individual who is not a Councillor to the role of Responsible Financial Officer ('RFO')

The Council will appoint one or more individuals, who may be Councillors, to carry out such responsibilities of the RFO in his/her absence as are deemed necessary in order to ensure the continued legal and competent operation of the Council.

The RFO will as a minimum carry out such duties as are necessary to ensure the Council complies fully with the provisions of its Finance Procedures and Purchasing Procedures.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a All payments by the Council shall be authorised, approved and paid in accordance with the law, Proper Practices and the Council's Financial Procedures.
- b The RFO 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.
- c As soon as possible after the financial year end at 31 March, the RFO 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;
 - 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.
- d 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 ('AGAR') shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The AGAR 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

- a. The Council shall consider and approve Financial Procedures and Purchasing Procedures drawn up by the RFO, 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. The Financial Procedures 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 referred to in Standing Order 18**Reference source not found. **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).**
- d. Subject to additional requirements in the Financial and Purchasing Procedures 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 RFO or by email to the RFO with no copy addressees;
 - v. tenders shall be opened by the RFO 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 with delegated responsibility.
- e. Neither the Council, nor a committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **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

- a All employment matters related to paid employees of the Council will be the responsibility of the Chair.
- b The Chair will nominate another Councillor, and advise all staff affected of the nomination, to deal with any urgent staff matter that may arise in his/her absence.
- c A matter personal to a member of staff that is being considered by a meeting of Council is subject to Standing Order 11.

20. 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.
- b If in any year the Council's 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.

21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

The items below are not an exhaustive list.

See also Standing Order 11.

- a Due to the small amount of personal data it handles, the Council has not appointed a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

22. RELATIONS WITH THE PRESS/MEDIA

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 15l and 15p

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to Standing Order 23a, any two councillors may sign, on behalf of the Council, any deed required by law and the Clerk shall witness their signatures.**
- c **Should the Council acquire a common seal, and again subject to Standing Order 23a, the common seal shall alone be used for sealing a deed required by law. It shall be applied by the Clerk in the presence of two councillors who shall sign the deed as witnesses.**

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend any meeting of the Council shall be sent two weeks prior to the Annual Meeting of the Council to the ward councillor(s) of the Unitary Council representing the area of the Council.
- b The invitation will include details of planned dates for meetings over the next 12 months, and information on how to access meeting agendas and minutes.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

Councillors must not perform any action or make any public or official statement that either commits the Council or purports to indicate a view or position of the Council unless authorised by the Council to do so. Specifically, unless duly authorised no councillor shall:

- a inspect any land and/or premises which the Council has a right or duty to inspect; or
- b issue orders, instructions or directions.

26. STANDING ORDERS GENERALLY

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.

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 five councillors to be given to the Clerk in accordance with Standing Order 9.

The Clerk shall provide a copy of the Council's Standing Orders to a councillor as soon as possible.

The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.