

# Claybrooke Magna Parish Council

# STANDING ORDERS

Reviewed at the Annual Parish Council meeting on 18<sup>th</sup> May 2023. Minute 8.

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These model standing orders update the National Association of Local Council (NALC) model standing orders contained in “Local Councils Explained” by Meera Tharmarajah (© 2013 NALC). This publication contains new model standing orders which reference new legislation introduced after 2013 when the last model standing orders were published.

Standing orders are the written rules of a local 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 a council are not the same as the policies of a council but standing orders may refer to them.

## **1. 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 be progressed by a unanimous voting of hands. The Council will then resolve to carry the motion.
- c An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- d 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.
- e 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 chairman.
- f A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- g 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.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- i 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.
- j A councillor may not move more than one amendment to an original or substantive motion.
- k The mover of an amendment has no right of reply at the end of debate on it.
- l 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.
- m Unless permitted by the chairman of the meeting, a councillor may speak once in the debate

on a motion except:

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

n 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 he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

o A point of order shall be decided by the chairman of the meeting and his decision shall be final.

p 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.

s 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.

t 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.

## **2. 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.

### **3. Meetings Generally**

- 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 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 are not involved in decision making of the Council. Members of the public may stay for the whole PC meeting but only as observers unless invited to join a discussion via the Chairman.
- 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. If more than one member of the public wishes to speak on a topic, one member should be nominated to speak on their behalf to make the best use of the participation period.
- f The public participation should not last longer than 15 minutes and one member of the public shall not speak for more than 5 minutes.
- g The Chairman has the right to say that any question or statement is inappropriate and will not be accepted. Neither Councillors nor the Clerk should be put under pressure to respond immediately to comments made under public participation.
- h Members of the public do not have a right to force items onto the council agenda nor to insist on how matters are recorded in the minutes.

- i A question raised by a member of the public during a public speaking session does not require a response and there does not need to be a debate or discussion between the Council and the public.
- j A brief record of topics raised at public participation will be included in the minutes of that meeting. But libellous, offensive and discriminatory comments will not be minuted.
- k 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.
- l A person shall raise his hand when requesting to speak.
- m A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- n 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.
- o All persons present will act respectfully towards every other person present and will not act in a manner that demeans, insults, threatens or intimidates him or her. All statements, questions and responses, challenges to statements, complaints or criticisms must be made politely. All statements, questions and responses must be related to the facts of the matter and not be personal in nature. There should be no reference to personal views on any person.
- p 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.
- q Please note that offensive or threatening behaviour will not be tolerated. If a member of the public interrupts the proceedings of any meeting, the Council reserves the right to curtail the contribution of that person and exclude a disorderly person.
- r **Please note that offensive or threatening behaviour will not be tolerated. If a member of the public interrupts the proceedings of any meeting the Council reserves the right to curtail the contribution of that person and exclude a disorderly person.**
- s A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- t 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.
- u 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.
  - v 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 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.
  - w 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.
  - x 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.
  - y Voting on a question shall be by a show of hands.
  - z 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.
  - aa 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 his right to participate and vote on that matter.
  - bb 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.

cc A meeting shall not exceed a period of 3 hours.

#### **4. 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 7.00pm.
- 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 Chairman and Vice-Chairman 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 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 and adoption of appropriate standing orders and financial regulations;
- iv. Review of inventory of land and other assets including buildings and office equipment;
- v. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xi. Review of the Council's complaints procedure;
- vi. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information, data protection legislation and employment.
- vii. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972.
- viii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

#### **5. Extraordinary Meetings of the Council**

- 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.

#### **6. Previous Resolutions**

- a. A resolution shall not be reversed within six months except either by a special motion, which requires 7 days written notice by at least 3 councillors to be given to the Proper Officer.
- b. When a motion moved pursuant to standing order 6(a) has been disposed of, no similar motion may be moved for a further six months.

#### **7. 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.

**8. Motions at 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 and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 8(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 8(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 4 clear days before the meeting.
- e 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.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

**9. Motions at a meeting that do not require written notice to be given to the Proper Officer**

- 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
- xvii. to close the meeting.

#### **10. 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.

#### **11. Draft Minutes**

- 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.

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

## **12. Code of Conduct and dispensations**

- a All councillors shall observe the code of conduct adopted by the Council.
- b Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. 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 request shall be considered at the beginning of the meeting of the Council.
- h 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.

### **13. Code of Conduct Complaints**

- a Upon notification by the District Council that it is dealing with a complaint that a councillor has breached the Council's code of conduct, the Proper Officer shall report this to the Council.
- b Where the notification 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 staff member 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.
- 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 Council that a councillor 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.

### **14. Proper Officer**

- a The Proper Officer shall be the clerk, or other Councillor nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall at least three clear days before a meeting of the council meeting,
  - serve on councillors by email an agenda confirming the time and place of the meeting and
  - i. Provide, in a conspicuous place, public notice of the time, place and agenda.
  - ii. 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 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 his 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. hold a copy of every councillor's register of interests;
- viii. 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;
- ix. liaise, as appropriate, with the Council's Data Protection Officer;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. 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);
- xii. arrange for legal deeds to be executed;
- xiii. 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. to arrange payment of any travel claims made by a Councillor at a rate of 45p per mile for travel incurred on Council business only or to attend training. These costs/mileage to be notified to the clerk before travel and be approved. Any bus or rail fares to be refunded at cost. Any refund will not cover costs incurred for private travel.
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvi. manage access to information about the Council via the publication scheme

#### **15. Responsible Financial Officer**

The Council shall appoint an appropriate member to undertake the work of the Responsible

Financial Officer when that Officer is absent.

## **16. 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 at each meeting a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for the period since the last meeting;
  - ii. the bank balances heldand include 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) 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.

## **17. Financial Controls and Procurement**

- a. The Council shall consider and approve financial regulations drawn up by the 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. 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. the Council's specification of the project be drawn up and given to all prospective contractors.
  - iii. Quotes to be submitted in writing or by e mail addressed to the Proper Officer.
  - iv. Once received, all quotes to be sent to all councillors and discussed at the appropriate Parish Council meeting for a decision to be made on the contractor chosen.
- d. The Council is not bound to accept the lowest value tender but rather the best value for money taking into consideration quality of work, delivery date and work completed before for the Council or other Councils.
- e. 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 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.
- f. 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 shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

#### **18. Handing Staff Matters**

- a Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the absence occasioned by illness or other reason and that person shall report such absence at its next meeting.



- b The chairman of council, or in his absence, the vice-chairman, shall upon a resolution conduct a review of the performance and annual appraisal of the work of the member of staff. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Council.
- 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 his absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the member of staff relates to the chairman or vice-chairman, this shall be communicated to another member of Council and be reported back and progressed by resolution of the Council.
- 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 Persons with line management responsibilities shall have access to staff records .

#### **19. 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. The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

#### **20. Responsibilities under Data Protection Legislation**

(Below is not an exclusive list)

1. The Council shall appoint a Data Protection Officer.
2. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
3. The Council shall have a written policy in place for responding to and managing a personal data breach.
4. 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.
5. 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.
6. The Council shall maintain a written record of its processing activities.

## **21. 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.

## **22. 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.

## **23. Communicating with District and County Councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor of the District and County Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the councillors representing the area of the Council.

## **24. Restrictions on Councillor Activities**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## **25. 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 8.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.

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