

# **BARROW UPON SOAR PARISH COUNCIL**

## **STANDING ORDERS**

**adopted 6<sup>th</sup> June 2023**

These Standing Orders were adopted at a meeting of the Barrow upon Soar Parish Council  
held on 6<sup>th</sup> June 2023

## TABLE OF CONTENTS

<b>PAGE NUMBER</b>	<b>CONTENT</b>
1.	RULES OF DEBATE
2.	DISORDERLY CONDUCT
3.	MEETINGS GENERALLY
5.	COMMITTEES AND SUB COMMITTEES
6.	ORDINARY COUNCIL MEETINGS
7.	EXTRAORDINARY MEETINGS OF THE COUNCIL AND SUB - COMMITTEE PREVIOUS RESOLUTIONS VOTING ON APPOINTMENTS
8.	MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN BY A PROPER OFFICER MOTIONS NOT REQUIRING WRITTEN NOTICE
9.	HANDLING OF CONFIDENTIAL OR SENSITIVE INFORMATION DRAFT MINUTES
10.	CODE OF CONDUCT AND DISPENSATIONS
11.	CODE OF CONDUCT COMPLAINTS PROPER OFFICER
12.	RESPONSIBLE FINANCE OFFICER ACCOUNTS AND FINANCIAL STATEMENT
13.	FINANCIAL CONTROLS AND PROCUREMENT
14.	HANDLING STAFF MATTERS
15.	REQUESTS FOR INFORMATION RELATIONS WITH THE PRESS/MEDIA EXECUTION AND SEALING OF LEGAL DEEDS COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS
16.	INSPECTION OF DOCUMENTS RESTRICTIONS ON COUNCILLOR ACTIVITY STANDING ORDERS GENERALLY

## 1. RULES OF DEBATE

### SO – Standing Order

- 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 presiding.
- b) A motion shall not be progressed unless it has been proposed and seconded.
- c) A motion on the agenda that is not moved by its proposer may be treated by the Chairman as withdrawn.
- d) If a motion, including an amendment, has been seconded, it may be withdrawn by the proposer only with consent of the seconder and the meeting.
- e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g) 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.
- h) 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.
- i) If there is more than one amendment to an original substantive motion the amendments shall be moved in the order directed by the Chairman.
- j) Subject to SO 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman.
- k) One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted on separately.
- l) A Councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right to reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o) 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. in exercise of a right of reply
- p) During the debate of 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 SO which he considers has been breached or specify the other irregularity in the proceedings he is concerned by.

- q) A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- r) Subject to SO 1(o) above, when a Councillor's 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 silent or for him/her to leave the meeting;
  - VI. To refer a motion to a Committee/Sub-Committee for consideration;
  - VII. To exclude the public/press;
  - VIII. To adjourn the meeting; or
  - IX. To suspend any SO, except those which are mandatory.
- 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) Excluding motions moved under SO 1(r) above 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**

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this SO 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 to the meeting, to moderate or improve their conduct any Councillor or the Chairman may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made under SO 2(b) above is ignored the Chairman of the meeting may take such further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 3. MEETINGS GENERALLY

FC - Full Council

CM - Committee meetings

SCM - sub-committee meetings

- a) All meetings of the Council shall be held at the Parish Council Office 12, High Street unless otherwise determined **and shall not take place at premises which at the time of the meeting are licensed to sell alcohol unless no other meeting place is available free of charge or at a reasonable cost.**
- b) FC The minimum three clear days for notice of a meeting does not include the day on which the notice is 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) CM The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
- d) CM FC 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 reason 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 to public participation at a meeting in accordance with SO 3(e) above shall not normally exceed fifteen minutes unless directed by the Chairman of the meeting.
- g) Subject to SO 3(f) above, a member of the public shall not speak for more than five minutes.
- h) In accordance with SO 3(e) above, 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 response be given.
- i) A person shall raise his hand when requesting to speak.
- j) A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- k) 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.
- l) CM FC Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the council's prior written consent.
- m) CM FC The press shall be provided with reasonable facilities for taking their report for all or part of a meeting which they are entitled to be present.
- n) FC Subject to SO 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.

- o) FC The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting the Vice Chairman, if present shall preside. If both the Chairman and Vice Chairman are absent a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- p) SCM CM FC Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.
- q) SCM CM FC 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 used his original vote.
- r) Unless SO provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, 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 request shall be made prior to moving on to the next item of business on the agenda.
- s) The Minutes of the meeting shall include an accurate record of the following;
  - I. the time and place of the meeting;
  - II. the names of Councillors present and absent;
  - III. Interests that have been declared by Councillors and non-councillors with voting rights;
  - IV. Whether a Councillor or non-councillor with voting rights left the meeting when matters that they held interest in were being considered;
  - V. If there was a public participation session; and
  - VI. The resolutions made.
- t) SCM CM FC A Councillor or 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.
- u) FC No business shall 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) SCM CM FC If a meeting is or becomes inquorate no business shall be transacted.
- w) FC A meeting shall not normally exceed a period of three hours.

#### **4. 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 members of an advisory committee and sub-committee may be non-councillors.
- d) The Council may appoint standing committees or other committees as may be necessary and:
  - I. shall determine their terms of reference;
  - II. shall determine the number and time of ordinary meetings of a standing committee up to and including the next annual meeting of Full Council;
  - III. shall permit a committee, other than in respect to ordinary meetings of a committee, to determine the number and time of its meetings;
  - IV. shall, subject to SO 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - V. may subject to SO 4(b) and (c) above, appoint and determine the terms of office of substitute members to a committee whose role is to replace the ordinary members at a meeting if the ordinary members of the committee confirm to the Proper Officer 2 days before the meeting that they are unable to attend;
  - VI. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - VII. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - VIII. shall determine the place, notice requirements and quorum of a meeting of a committee and sub-committee which shall be no less than 3;
  - IX. shall determine if the public may participate at a meeting of a committee;
  - X. shall determine if the public and press are permitted to attend meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - XI. may dissolve a committee.

## 5. 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 new Councillors elected take office.
- b) In a year, which is not an election year, the annual meeting shall be held on such a day in May as the Council may direct.
- c) If no other time is fixed, the annual meeting 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 directs.
- e) the first business conducted at the annual meeting shall be the election of the Chairman and Vice-Chairman of the Council. By nomination signed by the proposer and candidate prior to a vote being taken.
- 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, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- h) In an election year, if the current Chairman has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman but must 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 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 and must give a casting vote in the case of an equality of votes.
- j) Following the election of Chairman and Vice-Chairman at the annual meeting the business of the annual meeting can 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. Receive for confirmation minutes of the last meeting of the Council;
  - III. Receive for approval recommendations of Committee meetings;
  - IV. Review the Council's committee structure;
  - V. Review terms of reference for Committees;
  - VI. Appointment of members to Committees;
  - VII. Appointment of Chairman to Committees;
  - VIII. Review and Appointment of Councillors and Representatives to External Organisations and arrangements for reporting back;
  - IX. Receive the financial statement for the previous financial year;
  - X. Confirmation of insurance cover;



- XI. Review of the annual risk assessment
- XII. Review and adoption of Standing Orders and Financial Regulations;
- XIII. Review of inventory of land/assets;
- XIV. Review of the Council's policy in regard to:
  - I. Complaints Procedure
  - II. Requests made under Freedom of Information Act 2000/Data Protection Act 1998
  - III. Dealing with the Press and Media
- XV. Determine dates/time/venue of Parish Council meetings for the year

## **6. EXTRAORDINARY MEETINGS OF THE COUNCIL AND 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 or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time/venue and agenda for such meeting must be signed by the two Councillors.
- c) The Chairman of a committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.
- d) If the Chairman of committee or sub-committee does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by 2 Councillors, any 2 members of the committee may convene an extraordinary meeting of a committee or sub-committee.

## **7. PREVIOUS RESOLUTIONS**

- a) A resolution shall not be reversed within 6 months except either by a special motion, which requires written notice by at least three Councillors to be given to the Proper Officer in accordance with SO 9 below, or by a motion moved in pursuance of the recommendation by a committee or sub-committee.
- b) When a motion moved pursuant to SO 7(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **8. VOTING ON APPOINTMENTS**

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

## **9. 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 which it is tabled for 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 councils 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 seven 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 any motion on the agenda received in accordance with SO 9(b) above, 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 SO 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 clear days before the meeting.
- e) If the wording or subject of the 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 called the meeting to consider whether the motion shall be included in the agenda or rejected.
- f) Subject to SO 9(e) above, the decision of the Proper Officer as to whether or not to include the motion in 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 and filed with an explanation by the Proper Officer for their rejection.

## **10. MOTIONS – NOT REQUIRING 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 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 the 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 sensitive information which is prejudicial to the public interest;

- XII. to not hear further from a Councillor or 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 requirements;
- XVI. to adjourn the meeting;
- XVII. to close a meeting.

## **11. HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION**

- a) The agenda papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **12. DRAFT MINUTES**

- a) If a copy of the draft minutes of the preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b) No discussion of the draft minutes of the preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with SO 10(a)(i) above.
- c) Minutes including any amendment to correct their accuracy 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 held on (date) were a correct record but his view was not upheld by the majority of members present and the minutes are confirmed as an accurate record of the proceedings'.
- e) Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings shall be destroyed.

### 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 has been granted a dispensation a Councillor or non-councillor with voting rights shall withdraw from the 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 an interest.
- c) Unless he has been granted a dispensation a Councillor or non-councillor with voting rights shall withdraw from the 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 an 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 or a meeting of the council, or committee, or sub-committee for which the dispensation is required and that decision is final.
- f) A dispensation request shall confirm:
  - I. the description and 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 4 years) for which the dispensations is sought; and
  - IV. an explanation as to why the dispensation is sought.
- g) Subject to SO 13(d) and (f) above dispensation requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required or at the beginning of the meeting of the Council, or committee, or sub-committee for which the dispensation is required.
- h) A dispensation may be granted in accordance with SO 13(e) above if having regard to all relevant circumstances the following applies:
  - 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 business or
  - 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 Council that it is dealing with a complaint that a Councillor or non-councillor with voting rights has breached the council's code of conduct the Proper Officer shall subject to SO 11 above report this to the Council.
- b) Where the notification in SO 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the 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 in accordance with SO 14(d) below.
- c) The council may:
  - I. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - 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 or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

## 15. PROPER OFFICER

- a) The Proper Officer shall be either (i) the Clerk or (ii) a staff member nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer shall:
  - I. At least three clear days before the meeting of the Council, committee and sub-committee serve on Councillors by delivery/post at their home address a signed summons confirming the time, date, venue and agenda of a meeting of the Council or committee/sub-committee *or by email provided any such email contains the electronic signature and title of the Proper Officer*;
  - II. Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council/committee/sub-committee (provided that public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
  - III. Subject to SO 9 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least eight days before the meeting confirming his withdrawal of it to be published in the Parish Council window display, and at the same time on the Parish Council's website;
  - IV. Convene a meeting of the Council for the election of a new Chairman occasioned by a casual vacancy in his office;
  - V. Facilitate inspection the minutes of meetings by local government electors;
  - VI. Receive and retain copies of bye laws made by other local authorities;
  - VII. Retain acceptance of office forms from Councillors;
  - VIII. Keep proper records pertaining to **all** meetings of the Council;

- IX. Assist in responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1988, in accordance with and subject to the Council's relevant procedures; The Council may appoint a Data Protection Officer.
- X. Receive and send general correspondence and notices on behalf of the Council except where there is resolution to the contrary;
- XI. Manage the organisation, storage of and access to and destruction of information held by the Council in paper and electronic form;
- XII. Arrange for legal deeds to be executed – also see SO 22 below;
- XIII. To arrange for the prompt authorisation, approval and instruction relating to payments to be made by the Council in accordance with the Council's Financial Regulations;
- XIV. Record every planning application notified to the Council and the Council's response to the local planning authority;
- XV. Refer a planning application to the Chairman or in his/her absence the Vice Chairman to facilitate an extraordinary meeting if the nature of the planning application requires consideration prior to the next ordinary meeting of the Planning Committee;
- XVI. Manage access to information about the Council via the publication scheme.

## **16. RESPONSIBLE FINANCE OFFICER**

The Council shall appoint appropriate staff members to undertake the work of the RFO when the RFO is absent.

## **17. ACCOUNTS AND FINANCIAL STATEMENT**

- a) 'Proper practices' in SO refer to the most recent version of 'Governance and Accountability for Local Council – A Practitioners Guide – England.
- b) All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations, which shall be reviewed annually.
- c) The RFO shall supply to each Councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December a statement to summarise
  - i. the Council's receipts and payments
  - ii. the Council's aggregate receipts and payments for the year to date
  - iii. the balances held at the end of the relevant quarter.
 And which includes a comparison with the budget for the financial year and identifies any actual or potential overspends.
- d) As soon as practicable 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 for the last quarter and the year to date for information; and
  - ii. To Full Council accounting statements for the year in the form of section 2 of the Annual Governance and Accountability return as required for proper practices and approval.
- e) The year end accounting statements shall be prepared in accordance with proper practices and on the appropriate accounting basis, receipts and payments for a year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May. The annual return of the Council (which

is subject to external audit) including the annual governance statement shall be presented to Council for consideration and formal approval before 30 June.

## **18. 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 control;
  - 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 for payments;
  - V. procurement policies, subject to SO 18(c) below, including the setting of values for different procedures where the contract has an estimated value of less than 60k.
- b) Financial Regulations shall be reviewed regularly and at least annually for fitness purpose.
- c) Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of 60k shall be procured on the basis of a formal tender as summarised in SO 18(d) below.
- d) Subject to the 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 v) the prohibition of prospective contractors contacting the 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 which 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 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) Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended) apply to the contract and if either of those regulations apply the Council must comply with EU procurement rules.
- g) A public contract regulated by the Public Contract Regulations 2015 with an estimated value in excess of £25k but less than the relevant thresholds in 18f is subject to regulations 109 – 114 of the Public Contracts Regulations 2015 which include a requirement on the council to advertise the opportunity on the contracts finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

## **19. HANDLING STAFF MATTERS**

- a) A matter personal to a member of staff that is being considered by a meeting of the Council, committee or sub-committee is subject to SO 11 above.
- b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chairman of the committee or sub-committee or if he is not available the vice-chairman of the committee or sub-committee of absence occasioned by illness or other reason and that person shall report such absence to the committee or sub-committee meeting.
- c) The Chairman of the Policy and Finance Committee 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 Clerk/RFO. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Policy and Finance Committee.
- d) Subject to the Council's policy regarding handling of grievance matters, the Council's most senior employee shall contact the Chairman of the Policy and Finance Committee or in his absence the Vice-Chairman of the Committee in respect of an informal or formal grievance matter and this matter shall be reported back and progressed by a resolution of the Policy and Finance Committee.
- e) Subject to the Council's policy regarding handling of grievance matters, if an informal or formal grievance matter raised by a staff member related to the Chairman or Vice-Chairman, this shall be communicated to another member of the Policy and Finance Committee which shall be reported back and progressed by a resolution of the Policy and Finance Committee.
- f) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance and capabilities, grievance or disciplinary matters as confidential and secure.
- g) The Council shall keep written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h) Only persons with line management responsibilities shall have access to staff records referred to in SO 19 (f) and (g) above if so justified.
- i) Access and means of access by key and/or computer password to records of employment referred to in SO 19(f) and (g) above shall be provided only to the Proper Officer and/or Chairman of the council.



## **20. Requests for INFORMATION**

- a) Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998. The Council may appoint a Data Protection Officer.
- b) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Policy and Finance Committee. The Committee shall have the power to facilitate compliance with the Freedom of Information Act.

## **21. RELATIONS WITH THE PRESS/MEDIA**

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

## **22. EXECUTION AND SEALING OF LEGAL DEEDS**

- a) A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b) In accordance with a resolution made under SO 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **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 Councillors of the District and County Council representing the area of the Council.

## **24. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS**

- a) Canvassing councillors or the members of a committee or sub-committee, directly or indirectly for appointment to or by the Council shall disqualify the potential employee/contractor from such an appointment. The Proper Officer shall disclose the requirements of this SO to every candidate.
- b) A Councillor or member of a committee or sub-committee shall not use undue influence to promote a person/organisation/contractor for appointment to or by the Council or recommend a person for such appointment or for promotion, but nevertheless any such person may give a testimonial of a candidate's ability, experience or character to the Council with an application for appointment.
- c) This SO shall apply to tenders.

## **25. INSPECTION OF DOCUMENTS**

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

## **26. RESTRICTIONS ON COUNCILLOR ACTIVITY**

- a) Unless authorised by a resolution, 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.

## **27. STANDING ORDERS GENERALLY**

- a) All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to consideration of an item on the agenda.
- 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 requirements, shall be proposed by a special motion, the written notice by at least three Councillors to be given to the Proper Officer in accordance with SO 9 above.
- c) The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after he has delivered his acceptance of office form.
- d) The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.