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**STANDING ORDERS**

**Based on NALC MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022 AND FEBRUARY 2023**

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| Reviewed Annual FC 2223/ | 5th May 2022 |
| Approved Annual FC2324/09 | 22nd May 2023 |
| TBC Reviewed Governance  | 8th April 2024 |
| Approved Annual Full Council FC2425/10 | 13th May 2024 |
| Approved Full Council FC2425/31.1 | 22nd July 2024 |
|  | **Next review date May 2025** |

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On matters on which these Standing Orders are silent, the Chair shall use her/his discretion to determine the conduct of meetings, bearing in mind the need for fairness and effective and efficient decision making. The standing orders that are in bold type contain legal and statutory requirements. NALC recommends that councils adopt them without changing them or their meaning. They have been left in bold.

**1. Meetings generally**

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| **a** | **Meetings shall be open to members of 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.** |
| **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 | An item entitled ‘Public participation’ will be placed early on the agenda of ordinary council meetings and committee meetings so that members of the public may make representations and ask questions on any issue of local relevance. ‘Public participation’ will normally be for a total maximum of 15 minutes but can be extended at the Chair’s discretion. |
| d | An item entitled ‘Important information from councilors and staff’ will be placed on the agenda of ordinary council meetings and committee meetings so that councillors and members of staff may bring important issues of local relevance to the attention of the meeting.  |
| e | In respect of standing orders 1(c) and 1(d) above, the Council will determine whether to refer any matter arising for determination to a future ordinary council meeting, or to a committee, or to the clerk, as appropriate. The Clerk is authorised to take action on any issue raised at the meeting, according to the wishes of council. There is no requirement for an immediate response to be made at the meeting to issues raised, and on occasions the Council may decide to note but take no action on information received. |
| f | In respect of standing orders 1(c) and 1(d) above, no member of the public or councillor or member of staff may speak for more than three minutes on any item unless agreed by the Chair. |
| g | At the Chair’s discretion, members of the public may also be invited to briefly present information and make representations on items on the agenda during the course of the meeting. |
| h | A person who speaks at a meeting shall direct her/his comments to the Chair of the meeting. |
| i | 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. |
| **j** | **The recording of Council meetings is permitted under the Openness of Local Government Bodies Regulations 2014 but that recording will be carried out in accordance with separate rules adopted by the Council to effectively and lawfully manage this activity.****K. Subject to standing order 1(L), 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** | **Members of 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 her/his absence be done by, to or before the Vice-Chair of the Council.** |
| **O** | **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, 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 her/his casting vote whether or not s/he gave an original vote.***See standing orders 2(h) and (i) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.* |
|  **R** | **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave her/his vote for or against that question.** Such a request shall be made before the vote is taken. |
| S | The minutes of a meeting shall include an accurate record of the following:1. the time and place of the meeting;
2. the names of councillors present and absent;
3. interests that have been declared by councillors and non-councillors with voting rights;
4. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
5. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
6. if there was a public participation session;
7. 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 her/his 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.***See standing order 3a(vii) below for the quorum of a committee or sub-committee meeting.*  |
| **V** | **If a meeting is or becomes inquorate no business shall be transacted.** |
| W | A meeting shall not exceed a period of two and a half hours. |
| **X** | **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.**  |

**2. Ordinary Council meetings**

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|  | **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.** |
|  | **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 may direct.** |
| **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 directs.** |
| **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 s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until her/his successor is elected at the next annual meeting of the council.**  |
| **g** | **The Vice-Chair of the Council, if any, unless s/he 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, s/he shall preside at the 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 must 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, s/he shall preside at the meeting until a new Chair of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.** |
|  | Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting of the Council, the business of the annual meeting shall include:1. **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 her/his acceptance of office form unless the Council resolves for this to be done at a later date;**
2. Confirmation of the accuracy of the minutes of the last meeting of the Council;
3. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
4. Review of the terms of reference for committees;
5. Appointment of members to existing committees and of substitute members to a committee or sub-committees;
6. Appointment of any new committees in accordance with standing order 3 below;
7. Confirm the adoption of Standing Orders and Financial Regulations and note the date/s for their review;
8. Review of representation on or work with external bodies and arrangements for reporting back;
9. The annual meeting of Council shall note the provisional schedule of council and committee meetings up to and including the next annual meeting of the council;
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**3. Committees and sub-committees**

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| a | The Council may appoint such committees as may be necessary and:1. shall determine their terms of reference;
2. shall permit a committee to amend the date and time of its meetings from the provisional schedule when this is needed to enable full attendance;
3. shall, subject to standing orders 3(b) and (c) below, appoint members of such a committee;
4. shall permit a committee to appoint its own Chair and Vice-Chair at the first meeting of the committee;
5. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
6. may dissolve a committee.
 |
| **b** | **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.** |
| **c** | **The members of a committee may include non-councillors, without voting rights, unless it is a committee which regulates and controls the finances of the Council.** |
| **d** | **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.** |
| e | 1. The Council may, subject to standarding orders (c) and (d) above, appoint and determine the terms of office of the substitute members to a committee, who role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer they are unable to attend;
2. shall confirm that if a substitute member is legitimately summoned to and attends a meeting of a committee or sub-committee, the ordinary member cannot participate in that meeting if they also attend.
3. A substitute member,which can include any councillor not already on the relevant committee, will be summoned to attend a meeting by the Proper Officer, if the committee or sub-committee meeting will be inquorate without their attendance.
 |
| f | If the Chair of the Council is unavailable to chair the Governance Committee, this responsibility will fall to the Vice Chair of the Council. |

**4. Extraordinary meetings of the Council and committees and sub-committees**

1. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
2. **If the Chair of the Council does not or refuses to 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 must be signed by the two councillors.**
3. The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or sub-committee respectively at any time.
4. If the Chair of a committee or sub-committee does not or refuses to call an extraordinary meeting of the committee or sub-committee 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 committee or sub-committee. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.

**5. Urgent matters that cannot be dealt with at a meeting**

Urgent matters which require attention / action between meetings should be taken by the Proper Officer in consultation with the Chair of Council and / or Chairs of committees as appropriate.

**6. Rules of debate at meetings**

1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
3. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.

1. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
2. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
3. A councillor may move an amendment to her/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.
4. 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.
5. Subject to standing order 6(i) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
6. 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.
7. 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 of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
8. The Chair will use her/his discretion to manage the debate in relation to the number and length of contributions any individual councillor may make.
9. 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 standing order which s/he considers has been breached or specify the other irregularity in the proceedings of the meeting s/he is concerned by.
10. A point of order shall be decided by the Chair of the meeting and her/his decision shall be final.
11. 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 and that the mover of the motion under debate has exercised or waived her/his right of reply.
12. When a motion is under debate, no other motion shall be moved except:
13. to amend the motion;
14. to proceed to the next business;
15. to adjourn the debate;
16. to put the motion to a vote;
17. to ask a person to be no longer heard or to leave the meeting;
18. to refer a motion to a committee or sub-committee for consideration;
19. to exclude the public and press;
20. to adjourn the meeting; or
21. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

**7. Disorderly conduct at meetings**

1. 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.
2. If any person or persons disregard the request of the Chair of the meeting to moderate or improve her/his/their conduct, any councillor or the Chair of the meeting may move that the person or persons be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
3. If a resolution made under standing order 7(b) above 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.

**8. Previous resolutions**

1. A resolution shall not be reversed within six months except when significant new information becomes available, or by a special motion, which requires written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 10 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
2. When a motion moved pursuant to standing order 8(a) above has been disposed of, no similar motion may be moved within a further six months.

**9. Voting on appointments**

1. 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 her/his 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 an absolute majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercised by the Chair of the meeting.

**10. Motions for a meeting requiring written notice to be given to the Proper Officer**

1. 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 Council’s area or its residents.
2. No motion may be moved at a meeting unless the topic is on the agenda or 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.
3. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
4. If the Proper Officer considers the wording of a motion received in accordance with standing order 10(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing so that it can be understood, to the Proper Officer at least seven clear days before the meeting.
5. If the wording or subject of a proposed motion is considered improper, the Proper Officer 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.
6. Subject to standing order 10(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
7. Motions rejected shall be recorded for that purpose with an explanation by the Proper Officer for their rejection.

**11. Motions at a meeting that do not require written notice**

1. The following motions may be moved at a meeting without written notice to the Proper Officer:
	1. to correct an inaccuracy in the draft minutes of a meeting;
	2. to move to a vote;
	3. to defer consideration of a motion;
	4. to refer a motion to a particular committee or sub-committee;
	5. to appoint a person to preside at a meeting;
	6. to change the order of business on the agenda;
	7. to proceed to the next business on the agenda;
	8. to require a written report;
	9. to seek further information from external sources;
	10. to delegate a decision to the Proper Officer (except where otherwise prohibited);
	11. to appoint a committee or sub-committee and their members;
	12. to extend the time limits for speaking;
	13. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
	14. to not hear further from a councillor or a member of the public;
	15. to exclude a councillor or member of the public for disorderly conduct;
	16. to temporarily suspend the meeting;
	17. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
	18. to adjourn the meeting; or
	19. to close a meeting.
	20. These provisions also relate to items raised under public participation.

**12. Management of information**

*See also standing order 20.*

1. **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.**
2. **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.**

**13. Draft minutes**

1. 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.
2. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. At the Chair’s discretion, a motion to correct a significant inaccuracy in the draft minutes shall be moved in accordance with standing order 11(a)(i) above.
3. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
4. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, s/he shall sign the minutes and include a paragraph in the following terms or to the same effect: “The Chair 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 her/his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
5. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

**14. Code of conduct and dispensations**

*See also standing order 1(s) above.*

1. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
2. **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.
3. A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.

d Unless s/he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which s/he has a disclosable pecuniary interest. S/He may return to the meeting after is has considered the matter in which he had the interest.

e Unless s/he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which s/he has another interest if so required by the Council’s code of conduct. S/He may return to the meeting after it has considered the matter in which s/he had the interest.

**f A dispensation may be granted in accordance with standing order 14(c) above if having regard to all relevant circumstances the following applies:**

1. **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 or**
2. **granting the dispensation is in the interests of persons living in the Council’s area or**
3. **it is otherwise appropriate to grant a dispensation.**

gA dispensation request and the reply 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.

**15. Code of conduct complaints**

1. Upon notification by the District Council that it is dealing with a complaint that a councillor or co-opted non-councillor has breached the Council’s code of conduct, the Proper Officer shall, subject to standing order 14 above, report this to the Governance Committee.
2. Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair 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 standing order 15(d) below.
3. The Council may:
4. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
5. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
6. **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 her/him. Such action excludes disqualification or suspension from office.**

**16. Proper Officer**

1. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
2. The Clerk has a general power of delegation relating to all operational matters unless prohibited elsewhere.
3. The Proper Officer shall:
	1. **at least three clear days before a meeting of the council, a committee** or a sub-committee,
* **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
* **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
	1. subject to standing order 10 above, include on the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming her/his withdrawal of it;
	2. **convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in her/his office;**
	3. **facilitate inspection of the minute book by local government electors;**
	4. **receive and retain copies of byelaws made by other local authorities;**
	5. retain acceptance of office forms from councillors;
	6. retain a copy of every councillor’s register of interests;
	7. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council’s policies and procedures relating to the same;
	8. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
	9. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
	10. arrange for legal deeds to be executed;

*See also standing order 23 below.*

* 1. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council’s financial regulations;
	2. record every planning application notified to the Council and the Council’s response to the local planning authority;
	3. use the Scheme of Delegation to the Clerk on Planning (FC2324/106) and the Planning Committee (Terms of Reference) to manage council comments on planning applications.
	4. manage access to information about the Council via the publication scheme.

**17. Accounts and accounting statements**

1. ‘Proper practices’ in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide. Standing orders 17 and 18 do not include the full model financial regulations - these are contained in Baildon Town Council's Financial regulations. The financial regulations, as opposed to the standing orders include most of the requirements relevant to the council’s Responsible Financial Officer.
2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
3. The RFO shall provide the Council with a statement of receipts and payments to date under each head of the budgets, comparing actual expenditure against that planned

and which will include a comparison with the budget for the financial year and highlight any actual or potential overspends. This will be done at least quarterly.

1. As soon as possible after the financial year end at 31st March, the Responsible Financial Officer shall provide to the full 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.
2. The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31st 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 in line with requirements set by the external audit regime.

**18. Financial controls and procurement**

1. 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:
2. the keeping of accounting records and systems of internal controls;
3. the assessment and management of financial risks faced by the Council;
4. 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;
5. the inspection and copying by councillors and local electors of the Council’s accounts and/or orders of payments; and
6. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £30,000.
7. regard should be given to Baildon Town Council's Procurement Policy which provides more detail to support the Financial Regulations
8. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
9. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds in standing order 18(f) is subject to the ‘light touch’ arrangements under Regulations 109 -114 of the Public Contracts Regulations 2015. Unless it proposes to use an existing list of approved suppliers (framework agreement).**
10. 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:
11. a specification for the goods, materials, services or the execution of works shall be drawn up;
12. 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;
13. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
14. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
15. 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;
16. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
17. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
18. **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 and in line with NALC’s procurement guidelines – Legal Topic Note 87**

**19. Handling staff matters**

1. A matter personal to a member of staff that is being considered by the Staffing Sub-Committee is subject to standing order 12 above.
2. Subject to the Council’s policy regarding absences from work, the Council’s most senior member of staff shall notify the Chair of the Council of absence occasioned by illness or other reason.
3. The Chair of Council shall, in accordance with the Council’s Employee Appraisal policy, conduct a review of the performance and annual appraisal of the work of the Clerk. The Clerk’s appraisal documents should be made available to an incoming Chair.
4. Subject to the Council’s policy regarding the handling of grievance matters, the Council’s most senior employee shall contact the Chair of Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Sub-Committee.
5. Subject to the Council’s policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the Chair of Council this shall be communicated to another member of the Staffing Sub- Committee which shall be reported back and progressed by resolution of the Staffing Sub-Committee.
6. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
7. The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
8. Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
9. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be retained only by the Proper Officer subject to standing order 16(a) above.

**20. Responsibilities to provide information**

*See also standing order 21.*

**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. The Council shall publish information in accordance with the requirements of the Local Government (Transparency requirements) (England) Regulations 2015.**

**21. Responsibilities under Data Protection legislation**

(Below is not an exclusive list) *See also standing order 12.*

a The Council may appoint a Data Protection Officer.

b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

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

d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**

f **The Council shall maintain a written record of its processing activities.**

**22. Communicating with District Councillors**

a Notification of Full Council Meetings shall be sent, together with the Agendas, to the Baildon and Shipley ward councillors of the City of Bradford District Metropolitan District Council.

**23. Relations with the press/media**

1. 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.

**24. Execution of legal deeds**

*See also standing orders 16(b)(xii) above.*

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

**25. Restrictions on the activities of councillors**

Unless authorised by a resolution, no councillor or councillors shall:

1. carry out an official inspection of any land and/or premises which the Council has a right or duty to inspect; or
2. issue orders, instructions or directions.

**26. Standing orders generally**

1. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
2. The Proper Officer shall provide a copy of the Council’s standing orders to a councillor as soon as possible after s/he has delivered her/his acceptance of office form.
3. The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.
4. On matters on which these Standing Orders are silent, the Chair shall use her/his discretion to determine the conduct of meetings, bearing in mind the need for fairness and effective and efficient decision making.