

HARTBURN PARISH COUNCIL

STANDING ORDERS

RELATING TO THE PROCEEDINGS AND
BUSINESS OF THE COUNCIL

NOTE:

BOLD BLACK PRINT = MANDATORY STANDING ORDER

BLACK PRINT = DISCRETIONARY STANDING ORDER

Approved 12th October 2020

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1. ORDINARY COUNCIL MEETINGS

- (a) Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- (b) i. When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which the 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 shall not count.**
- (b) ii. The minimum 3 days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
- (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 form part or all of a meeting shall be by resolution which shall give reasons for the public's exclusion.**
- (d) i** Subject to standing order 1(c) above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda of the Council, its committees and specified sub-committees.
- (d) ii.** With the exceptions of the Annual or Extraordinary meetings, members of the public can submit a written question for the Council agenda as long as it is submitted 7 clear days before the Council meeting date. Questions should relate either to the powers and duties of the Council, or affect the Parish in some way. These will be entered onto a register which will be open to the public for inspection.
- (e)** The period of time which is designated for public participation in accordance with standing order 1(d)(i) and 1(d)(ii) shall not exceed 15 minutes, unless at the Chairman's discretion.
- (f)** Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes unless at the discretion of the Chairman.
- (g) i.** In accordance with standing order 1(d)(i) above, a verbal question concerning an item on the agenda asked by a member of the public during a public participation session at a meeting will normally be taken into account during the subsequent discussion of that agenda item. However, the Chairman may also direct that a response to a question posed by a member of the public be referred to a Councillor for an immediate oral response or to the Clerk for a written or oral response.

- (g) ii. Written questions submitted under 1(d)(ii) can be debated by members however, no resolution based solely on the comments and representations made under a public participation session should be made at the meeting.
- (h) A record of the public participation session at a meeting shall be included in the minutes of that meeting.
- (i) Any person speaking at a meeting shall address their comments to the Chairman.
- (j) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- (k) The Openness of Local Government Bodies Regulation 2014 ("the 2014 Regulations) provides that a person **may not orally report or comment** about a meeting as it takes place if they are present at the meeting of the Council but otherwise may:
 - i. Film, photograph or make an audio recording of a meeting;
 - ii. Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - iii. Report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- (l) **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- (m) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in their absence be done by, to or before the Vice-Chairman (if any).**
- (n) **The Chairman, if present, shall preside at the meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor chosen by the councillors present at the meeting shall preside at the meeting.**
- (o) **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.**
- (p) **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes, may exercise their casting vote whether or not they gave an original vote (see standing orders 2(i) and 2(j) below).**

- (q) **Voting on any 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 their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- (r) 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 interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made
- (s) **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 their right to participate and vote on the matter.**
- (t) **No business may be transacted at a council meeting unless at least one third of the whole number of members of the Council are present. The quorum for committees, sub-committees and working groups shall be 3 members.**
- (u) **If a meeting is or becomes inquorate, no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**
- (v) A meeting shall not exceed a period of 2.5 hours.

2. ANNUAL MEETING

- (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 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 6.30pm.**

- (d) **In addition to the annual meeting of the Council, at least 3 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 Chairman and Vice-Chairman (if any) of the Council.**
- (f) **The Chairman of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- (g) **The Vice-Chairman of the Council, if any, 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, they 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 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 Chairman of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- (j) **Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business of the annual meeting 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 their acceptance of office form, unless the Council resolves for this to be done at a later date. All declarations of acceptance of office as councillors will normally be completed before the initial meeting of the Council;**
 - ii. **Confirmation of the accuracy of the minutes of the last meeting of the Council;**
 - iii. **Receipt of the minutes of the last meeting of a committee;**
 - iv. **Consideration of the recommendations made by a committee;**

- v. Review of delegation arrangements to committee, sub-committees, staff and other local authorities;
- vi. Review the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with Standing Order 14;
- ix. Review and adoption of appropriate Standing Orders and Financial Regulations;
- x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. In a year of elections, the Council's period of eligibility to exercise the 'General Power of Competence' expires the day before the annual meeting, to review and make arrangements to reaffirm eligibility at the annual meeting.
- xiii. Review of inventory of land and assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. Review of the Council's policy for dealing with press/media; and
- xix. Determining the time and place of ordinary meetings of the Council, up to and including the next annual meeting of the Council.

3. PROPER OFFICER

- (a) The Council's Proper Officer shall be the Clerk or such other employee as may be nominated by the Council from time to time.

(b) **The Council's Proper Officer shall do the following:**

- i. **Sign and serve on councillors by email a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting;**
- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or sub-committee provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them;**
- iii. Subject to Standing Orders 4(a) to (e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 7 clear days before the meeting confirming their withdrawal of it;
- iv. **Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office, in accordance with Standing Order 3(b)i and 3(b)ii above;**
- v. Make available for inspection the minutes of meetings;
- vi. **Receive and retain copies of byelaws made by other appropriate local authorities;**
- vii. Receive and retain Declarations of Acceptance of office forms from councillors;
- viii. Retain a copy of every councillor's register of interest and any changes to it and keep copies of the same available for inspection;
- ix. Process all requests made under the Freedom of Information Act 2000 and the General Data Protection Regulation 2018, in accordance with and subject to the Council's procedures relating to the same;
- x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form;
- xii. Arrange for legal deeds to be executed (See 12(a) and 12(b));
- xiii. 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;
- xiv. Record every planning application notified to the Council and the Council's response to the Local Planning Authority;

- xv. Refer a planning application received by the Council to the Chairman or in his absence, the Vice-Chairman of the Council, within 2 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; and
- xvii. Retain custody of the seal of the Council (if any), which shall not be used without a resolution to that effect.

4. MOTIONS REQUIRING WRITTEN NOTICE

- (a) 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 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- (b) The Proper Officer may, before including a motion in the agenda, in accordance with Standing Order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- (c) If the Proper Officer considers the wording of a motion received in accordance with Standing Order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- (d) If the wording or nature of a proposed motion is considered unlawful or 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 or rejected in the agenda.
- (e) Subject to Standing Order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- (f) Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection and shall be open to inspection by all Councillors.
- (g) Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

- (a) Motions in respect of the following matters may be moved without written notice.
- 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 motions 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 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 temporary suspend the meeting;
 - xv. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

6. RULES OF DEBATE

(a) Motions and Amendments

- i. All motions or amendments shall be moved and seconded.
- ii. 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.
- iii. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

- iv. 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.
- v. A point of order shall be decided by the Chairman of the meeting and their decision shall be final.
- vi. When a motion is under debate, no other motion shall be moved except:
 - 1. To amend the motion;
 - 2. To proceed to the next business
 - 3. To adjourn the debate
 - 4. To put the motion to a vote;
 - 5. To ask a person to be no longer heard or to leave the meeting;
 - 6. To refer a motion to a committee or sub-committee for consideration;
 - 7. To exclude the press and public;
 - 8. To adjourn the meeting; or
 - 9. To suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- vii. Before a motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated.

7. CODE OF CONDUCT

- (a) **All councillors with voting rights shall observe the Code of Conduct adopted by the Council.**
- (b) Unless granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- (c) Unless granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's Code of Conduct. They may return to the meeting after it has considered the matter in which they have 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 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.

- (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 4 years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- (g) Subject to Standing Orders 7(d) and (f) above, dispensation requests shall be considered 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 Standing Order 7(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 the 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.**

8. MINUTES (DRAFT)

- (a) If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- (b) There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with 5 (a)i.
- (c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- (d) If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they 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) Upon a resolution which confirms the accuracy of the minutes of the meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

9. 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 excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- (c) If a resolution made under Standing Order 9(b) above is ignored, the Chairman of the meeting may take further reasonable steps to restore order to progress the meeting. This may include temporarily suspending or closing the meeting.

10. RESCISSION OF PREVIOUS RESOLUTIONS

- (a) A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months **except** either by a special motion, which requires written notice by at least 2 councillors to be given to the Proper Officer in accordance with Standing Order 4 above, or by a motion moved in pursuance of a recommendation of a committee or a sub-committee.
- (b) When a special motion or any other motion moved pursuant to Standing Order 10(a) above has been dispersed of, no similar motion may be moved within a further 6 months.

11. FINANCIAL ADMINISTRATION

- (a) **The Council's financial regulations shall be reviewed once a year.**
- (b) All committees etc. of the Council and all Council officers must abide by the Financial Regulations adopted by the Council in accordance with Section 151 of the Local Government Act 1972 and the Account and Audit Regulations 2015.

- (c) All committees of the Council and all Council officers must abide by the Financial Regulations and/or Standing Orders relating to Contracts and Procurement in undertaking any procurement activity.

12. EXECUTION AND SEALING OF LEGAL DOCUMENTS

- (a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- (b) Subject to Standing Order 12(a) above, any 2 councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

13. COMMITTEES AND SUB-COMMITTEES

- (a) Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- (b) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- (c) Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- (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 the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to Standing Orders, 13(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - v. may, subject to Standing Orders 13(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose 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 7 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 for a meeting of a committee and a 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 the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee.
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee.

14. EXTRAORDINARY MEETINGS

- (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 in writing to do so by 2 councillors, any 2 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 2 councillors.**
- (c) The Chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- (d) If the Chairman of a committee or a sub-committee does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the committee or the sub-committee, any 2 members of the committee or the sub-committee may convene an extraordinary meeting of a committee and a sub-committee.

15. RESPONSIBLE FINANCIAL OFFICER

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

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 as soon as practicable after 31st January, 30th April, 31st July and 31st October in each year, a statement to summarise:
 - i. the Council’s receipts and payments for each quarter;
 - ii. the Council’s aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- (d) As soon as possible after the financial year end at 31st March, the Responsible Financial Officer 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 the Council the accounting statements for the year in the form of the annual 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 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 month of May. The annual 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 30th June.

17. 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 system 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. procurement policies (subject to Standing Order 17(c) below, including the setting of values for different procedures where a contract has an estimated value of less than £60,000.
- (b) Financial regulations shall be reviewed regularly and at least annually for fitness of 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 £10,000 shall be procured on the basis of a formal tender as summarised in Standing Order 17(d) below.**
- (d) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm the Council's specification, the time, date and address for the submission of tenders, the date of the Council's written response to the tender and the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- (e) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

18. GENERAL POWER OF COMPETENCE (ENGLAND)

- (a) Before exercising the General Power of Competence, a meeting of the Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria set out in the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 and the Council qualifies as an eligible Parish Council.
- (b) The Council's period of eligibility begins on the date that the resolution under Standing Order 18(a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- (c) If the Council loses its qualified Clerk or has sufficient elected councillors, then it must record its ineligibility at the next 'relevant' annual meeting of the Council (after the ordinary election). If the Council has already started an activity it can finish that but not start anything new.

19. HANDLING STAFF MATTERS

- (a) A matter personal to a member of staff that is being considered by a meeting of Council is subject to Standing Order 19 below.
- (b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chairman or, if they are not available, the Vice-Chairman of the absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- (c) The Chairman 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 and Responsible Financial Officer. The reviews and appraisal shall be reported in writing and is subject to approval by resolution of the Council.
- (d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Council, or in their 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.
- (e) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk and the Responsible Financial Officer relates to the Chairman or Vice-Chairman, this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.
- (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, capabilities, grievance or disciplinary matters as confidential and secure.
- (g) The Council shall keep all written records relating to employees secure.

- (h) Only persons with line management responsibilities shall have access to staff records referred to in Standing Orders 18(f) and (g) above, if so justified.

20. HANDLING CONFIDENTIAL AND 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.

21. CODE OF CONDUCT COMPLAINTS

- (a) Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Order 19 above, report this to the Council.
- (b) Where the notification in Standing Order 20(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 Standing Order 20(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; and
 - 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 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 them. Such action excludes disqualification or suspension from office.**

22. 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 General Data Protection Regulation 2018.

- (b) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

23. INSPECTION OF DOCUMENTS

- (a) Subject to Standing Orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a 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.

24. RELATIONS WITH THE PRESS/.MEDIA

- (a) Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled by the Clerk and the Chairman of the Council together

25. COMMUNICATING WITH COUNTY COUNCILLORS

- (a) An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the County Council representing the area of the Council.

26. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- (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 (VARIATION, REVOCATION AND SUSPENSION)

- (a) 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.

- (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 2 councillors to be given to the Proper Officer in accordance with Standing Order 4 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.