

THORPE ON THE HILL PARISH COUNCIL

STANDING ORDERS

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STANDING ORDERS

These standing orders establish the rules for council meetings, and the council's organisational, administrative, and financial procedures.

Separate policy documents exist which contain guidance on rules, procedures, roles, and responsibilities in specific areas of the council's operations.

Contents	Page
1. Introduction	3
2. Parish Councillors	3
3. Annual Meeting of the Parish Council	3
4. Annual Parish Meeting	4
5. Meetings in general	4
6. Public participation time	6
7. Setting the agenda for meetings and the decision-making process	7
8. Disorderly conduct at meetings	8
9. Committees	8
10. Extraordinary meetings	9
11. Voting on appointments	9
12. Code of conduct and dispensations	10
13. Code of conduct complaints	10
14. Proper Officer	10
15. Responsible Finance Officer	12
16. Accounts and accounting statements	12
17. Financial controls and procurement	13
18. Handling staff matters	15
19. Responsibilities to provide information	15
20. Responsibilities under Data Protection Legislation	15
21. Relations with the press/media	16
22. Execution and sealing of legal deeds	16
23. Communicating with District and County Councillors	16
24. Restrictions on Councillors activities	16

25. Standing orders generally	16
26. Management of information	17
Appendix A - Statutory meeting rules	18
Appendix B – The Annual Meeting agenda	22

1. INTRODUCTION

Thorpe on the Hill Parish Council is aware that some parish councils have adopted formal and rigid standing orders containing, for example, the traditional rules of debate. The council does not feel that these rigid procedures are appropriate for this Parish Council. Consequently, the Council has developed standing orders which, while observing all statutory requirements, also reflect a practical approach to deliver the best practice it can for the residents of the parish.

Sections that are printed in bold contain the exact wording of the statutory guidance that the council must adhere to. In other cases, particularly in relation to the rules of meetings, the guidance has been presented in simpler, less technical language. In these cases, the full guidance is listed in Appendix A and cross referenced.

2. PARISH COUNCILLORS

- a. Following election or co-option to the Parish Council, each Councillor will be issued with an induction pack which includes a copy of the Code of Conduct and the Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Parish Clerk, or of a Councillor who has been specifically designated by the Council for this purpose.
- b. Thorpe on the Hill Parish Council has adopted, in full without changes, the Code of Conduct of North Kesteven District Council. A full copy of this code is available on the Parish Council website. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- c. The Code of Conduct defines when a Councillor will declare a pecuniary, or other registrable interest, in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity. A pecuniary interest means that a Councillor or one of their relatives, close friends or a partner would be affected financially, either to their benefit or loss, by a decision the Council is considering. In these cases, the Councillor must declare that interest and take no part in the decision-making process.

3. ANNUAL MEETING OF THE PARISH COUNCIL

The Council's year begins in May, with the annual meeting. Like any other organisation or company, the Parish Council needs to hold an annual meeting to carry out those things that only

need doing once a year. These include electing a Chair and Vice-Chair, appointing committees, appointing representatives to other bodies, reviewing policy documents etc. Some statutory rules apply to this meeting.

- a. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year, then the annual meeting will take place on an appropriate day in May. See Appendix A, points s and t.
- b. If the outgoing Chair is available, then they will preside until a new Chair has been elected. The first business of the Annual Meeting will be the election of the Chair and Vice Chair and to receive their acceptance of office.
- c. The retiring Chair will report on the activities of the Council for the preceding year.

Other items for inclusion on the agenda, see Appendix B

4. ANNUAL PARISH MEETING

The Annual Parish Meeting is not a meeting of the Parish Council, although the Parish Council organises the meeting. It should not be confused with the annual meeting of the council (see 3. Above). The Annual Parish Meeting is a public meeting and all electors of the parish have the right to contribute to the agenda and speak on any matter of local interest. This contrasts with a Council Meeting, where electors have no right to speak, other than at the start of the meeting during Public Participation Time. Any votes taken at the Annual Parish Meeting are not binding on the Parish Council although they will consider them at future meetings. If any votes are taken only those on the electoral roll can vote on an issue – other members of the public can attend and express their opinion but not vote. The following statutory rule applies to this meeting.

- a. **The Annual Parish Meeting must be held each year between March 1st and June 1st. Because this is a meeting of a body separate from the Parish Council (see above) the date is not affected by the Parish Council election cycle, though practical considerations may mean that it is arranged on a different date in an election year.**

5. MEETINGS IN GENERAL

After their Annual Meeting, The Parish Council will hold a sequence of meetings throughout the year. The following standing orders apply to all Parish Council Meetings, including the annual meeting.

- a. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol. See Appendix A, point a.
- b. Meeting will last for a maximum of two hours following the end of the Public Participation Time. If significant business remains uncompleted at the end of that time, Councillors will decide if the business should be deferred to the next meeting or if an additional meeting should be arranged.

- c. Councillors will be advised of the meetings by the issue of a summons and agenda delivered by email or by hand.
- d. Councillors have a duty to attend and, if they are unable to do so, must contact the Parish Clerk with an apology and explanation. If a Councillor fails to attend any meetings for six months, they will automatically cease to be a councillor unless the council approved the reason for absence before the end of the six-month period.
- e. There will be at least nine Parish Council meetings a year including the Annual Parish Council Meeting. The dates and times for nine meetings will be published twelve months in advance. If the level of business to be dealt with makes it necessary, additional meeting may be arranged from time to time.
- f. Public notices will be posted in conspicuous places informing members of the public of the venue, time, date, and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.
- g. Meetings will be open to the public and press, but they may be temporarily excluded from the meeting if the business is regarded as confidential. See Appendix A, point d.
- h. Preparing the agenda for the meeting is the Parish Clerk's responsibility. Every item on the agenda should be clear, concise, and lawful. This process will usually be undertaken in consultation with the Council Chair or Vice Chair if the Chair is not available. Any Councillor may ask the Parish Clerk to add items to the agenda if they feel a relevant subject should be discussed (See 14.b.v). The Parish Clerk will issue the agenda to councillors to summons them to the meeting.
- i. The agenda will always include an item to enable Councillors to declare interests on specific agenda items. See Appendix A, point I and points ff to ll, and the Code of Conduct available on the Parish Council website.
- j. The agenda will be issued at least three clear business days before the meeting. See Appendix A, points b and c.
- k. If agreed by the Chair, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.
- l. The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present, then the Vice Chair will preside. If they are not present, then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chair for the meeting.
- m. The quorum for the Council will be three Councillors. If at least three councillors are not present, then no business will be transacted, and a fresh notice will be issued to reconvene the meeting at a later date. See Appendix A, point n.

- n. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned, and any further business carried forward to the meeting when next convened. See Appendix A, point o.
- o. Voting at the meeting shall be by a show of hands. A Councillor may request that the Parish Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business. See Appendix A, point l.
- p. In cases of equal votes, the Chair (or other person presiding) will have a second or casting vote. See Appendix A, point k.
- q. A minute of the meeting will be taken by the Parish Clerk or other nominated person in the Parish Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.
- r. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting
 - ii. if there was a public participation session
 - iii. the names of councillors who are present and the names of councillors who are absent
 - iv. interests that have been declared by councillors
 - v. the grant of dispensations (if any) to councillors
 - vi. whether a councillor left the meeting when matters that they held interests in were being considered
 - vii. the resolutions made

6. PUBLIC PARTICIPATION TIME

The following notes will be made available to all members of the public who attend Parish Council meetings.

- a. Meetings will normally start with up to twenty minutes of Public Participation Time when parishioners and others can make representations, answer questions, or give evidence. The twenty minutes can only be extended by order of the Chair of the meeting.
- b. A person who wishes to speak during public time should raise their hand and then wait until acknowledged by the Chair of the meeting and asked to speak. A person who speaks at a meeting shall direct his comments to the Chair of the meeting. 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.
- c. Members of the public raising issues or questions should be aware that only items on the meeting agenda, which is published three days prior to the meeting, can be debated or decided at the meeting, unless the Parish Clerk has delegated powers to deal with it as urgent, e.g. highway repairs. The Chair may decide to answer a question asked by a member of the public or call on a fellow councillor to do so, or, direct that a written response be given.

- d. Members of the public should also be aware that a previous resolution will not be reversed within six months unless there are exceptional circumstances.
- e. After the Public Participation Time has ended, members of the public are observers and cannot play any further active part in the meeting.
- f. Should the public not adhere to this guidance, or are in anyway disruptive in the meeting, they may be asked to leave.
- g. Members of the public are advised that they may be filmed, or audio recorded by other members of the public at the meeting. The council will advise if the council is making its own recording, whether visual, audio or both.

7. SETTING THE AGENDA FOR MEETINGS AND THE DECISION-MAKING PROCESS

The guiding principles are:

- a. Each item on the agenda should clearly indicate the topic or motion to be debated.
- b. An explanation of the purpose for the inclusion of the topic and the nature of the decision or decisions required should also be stated.
- c. Any background information that councillors need to have digested prior to the meeting should be provided in electronic form with the agenda and will be made available to Councillors in hard copy during the meeting, unless a Councillor has informed the Parish Clerk that this is not required.
- d. It is an expectation that councillors will become fully acquainted with the agenda and background information in advance of the meeting.
- e. If a councillor feels they need more background information before the meeting it is their responsibility to obtain this information with the support of the Parish Clerk or other councillors.
- f. Any Councillor can request that a topic for discussion or a specific motion is included on the agenda. The request must be received at least five days before the meeting. In this case, it is their responsibility to fully support the Parish Clerk in ensuring the above guidance is followed. This responsibility includes providing an explanation for the inclusion of the topic or motion and any background information needed.
- g. Councillors should note that a previous resolution will not be reversed within six months unless there are exceptional circumstances
- h. There are some circumstances where the discussions of some types of business are confidential and should be discussed in closed session with the press and public excluded:
 - i. Engagement, terms of service, conduct and dismissal of employees

- ii. Terms of tenders, and proposals and counter-proposals in negotiations for contracts
 - iii. Preparation of cases in legal proceedings
 - iv. The early stages of any dispute
- i. The Chair of the meeting will allow a suitable time for discussion of the topic with all councillors observing the agreed policy for conduct in meetings.
 - j. If a resolution is proposed, the exact wording will emerge from the discussion in the meeting and be noted in full by the Parish Clerk.
 - k. When the Chair decides that the discussion has concluded and the resolution has been satisfactorily formulated, they will ask the Parish Clerk to read the full resolution to the meeting.
 - l. A vote will then be taken if required. See 5, point o.
 - m. Agreed actions to be taken by the Parish Clerk or individual Councillors should be clearly recorded in the minutes and provided to Councillors, as soon as possible after the meeting, in a short extract.
 - n. An item should always be included on the agenda to review the agreed actions from the previous meeting. If an agreed action has not been completed, the action will be reviewed and revised if necessary.

8. DISORDERLY CONDUCT AT MEETINGS

- a. No person shall disrupt a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting will request such person to moderate or improve their conduct.
- b. If the person in question disregards the request of the Chair of the meeting to moderate or improve their conduct, the Chair may rule that the person be no longer heard or be excluded from the meeting.
- c. If the ruling is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

9. COMMITTEES

- a. The Council may, from time to time, set up committees or short-term task-and finish groups to undertake work on behalf of the Council. Committee meeting will be subject to the same standing orders as full council meetings.

- b. The Council will set the terms of reference for the committee, and the committee will report to the Council as determined by the terms of reference and the Scheme of Delegation Policy.
- c. In the terms of reference, the Council will determine the venue, times, and frequency of the committee meetings.
- d. Non-Councillors can be appointed to a committee in an advisory capacity but only councillors can be voting members of a committee.
- e. If the Council Chair is a member of a committee, they will chair the committee. If the Chair is not a member but the Vice Chair is, they will chair the committee. If neither is a member, the councillor members of the committee will elect a chair.
- f. In cases of equal votes, the Chair (or other person presiding) will have a second or casting vote. See Appendix A, point I.
- g. The quorum of a committee will be determined in the terms of reference but will never be less than three councillors.
- h. Short-term task-and finish groups will not have terms of reference but will be established with a clear brief for the task they are undertaking. Task-and-finish groups meetings are not subject to the standing orders that apply to full council meetings and do not need to be held in public. Task-and-finish groups can only make recommendations to the full Parish Council. They do not have independent decision-making powers or access to parish finances.

10. EXTRAORDINARY MEETINGS

If unforeseen, urgent council business arises, it may be necessary to call an extraordinary meeting at short notice.

- a. The Chair of the Council may convene an extraordinary meeting of the Council at any time. See Appendix A, point cc.
- b. If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place, and agenda for such a meeting shall be signed by the two councillors. See Appendix A, point dd.
- c. The Chair of a committee may convene an extraordinary meeting of the committee at any time.

11. VOTING ON APPOINTMENTS

Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This

process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

12. CODE OF CONDUCT AND DISPENSATIONS

As indicated in Section 2, The Parish Council has adopted the full Code of Conduct of North Kesteven District Council without changes. The code of Conduct is available on the Parish Council website. In addition to the Code of Conduct, all Councillors are bound by the procedures for the declaration of an interest. See Appendix A, points ff to ll.

13. CODE OF CONDUCT COMPLAINTS

- a. Upon notification by North Kesteven District Council that it is dealing with a complaint that a councillor has breached the Parish Council's code of conduct, the Proper Officer shall, subject to standing orders 18, 19 and 20 report this to the Parish Council.
- b. Where the notification in standing order 13(a) relates to a complaint made by the Proper Officer:
 - i. the Proper Officer shall report the notification to the Chair of Parish Council but may choose to restrict this report to the details contained in the notification
 - ii. the Chair shall nominate another staff member or Councillor to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Parish Council has agreed what action, if any, to take in accordance with standing order 13(d).
- c. The Parish Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter
- d. Upon notification by North Kesteven District Council that a councillor has breached the Parish Council's code of conduct, the Parish Council shall consider what, if any, action to take against the person. Such action excludes disqualification or suspension from office.**

14. PROPER OFFICER

- a. The Proper Officer shall be either the Parish Clerk or other staff members/Councillors nominated by the Parish Council to temporarily undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer is legally defined as an "office holder" and shall:
 - i. Work for the Parish Council as a corporate body as opposed to individual Councillors.

- ii. Have prime responsibility for the administration of the Parish Council, managing staff and carrying out Parish Council decisions
- iii. Have responsibility to advise the Parish Council before it takes a decision and warning it against proceeding with any course of action that is unlawful or against standing orders
- iv. **at least three clear days before a meeting of the council, a committee**
 - **serve on councillors by delivery or post at their residences or by email 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 for a Parish Council meeting of the time, place and agenda**
 - **provide, in a conspicuous place, public notice with agenda of an extraordinary meeting of the Council convened by councillors that is signed by them. See Appendix A, points b and c.**
- v. **Include on the agenda all motions received from Councillors unless a Councillor has given written notice at least 5 days before the meeting confirming withdrawal of it.**
- vi. **convene a Parish Council meeting for the election of a new Chair of the Parish Council, occasioned by a casual vacancy of the office.**
- vii. **facilitate inspection of the minute book by local government electors.**
- viii. **receive and retain copies of byelaws made by other local authorities.**
- ix. hold acceptance of office forms from councillors.
- x. hold a copy of every councillor's register of interests.
- xi. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Parish Council's relevant policies and procedures
- xii. receive and send general correspondence and notices on behalf of the Parish Council except where there is a resolution to the contrary.
- xiii. organise storage of, access to, security of and destruction of information held by the Parish Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980).
- xiv. arrange for legal deeds to be executed (*see standing order 22*)

- xv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Parish Council in accordance with its financial regulations.
- xvi. ensure every planning application notified to the Parish Council and the Parish Council's response to the local planning authority is recorded by the planning authority on their online portal.
- xvii. refer a planning application received by the Parish Council to all Parish Councillors in a timely fashion with a view to arranging an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Parish Council.
- xviii. manage public access to information about the Parish Council.
- xix. deal with unforeseen or urgent situations between meetings. From time to time the Parish Clerk may be informed of an unforeseen or urgent situation. By definition, a complete list of possibilities is impossible, but examples might include a burglary at the meeting rooms, a report that intruders were trespassing on Council property, a report that council property was in a dangerous condition or a change in Government policy. In dealing with these situations the Parish Clerk should, at first, take such actions as are immediately required, for example informing the Police. The Parish Clerk should then make direct contact with the Chair of the Council, or the Vice Chair if the Chair cannot be contacted. Any Councillor who holds a portfolio with a direct responsibility in the area affected should also be contacted. The situation should be discussed and any further actions necessary identified. The Parish Clerk, in agreement with Chair of the Council or Vice Chair, will have the delegated authority to take whatever actions they feel necessary, including those which incur a cost (see Financial Standing orders). An example might include authorising a security firm to board up the meeting rooms if there had been a burglary. Any actions authorised will be reported to the full council, as soon as is possible by email circulation and confirmed at the next Parish Council meeting.

15. RESPONSIBLE FINANCIAL OFFICER

- a. The Proper Officer will take the role of Responsible Financial Officer unless otherwise agreed by the Proper Officer that someone else will be allocated to this role.
- b. The Parish Council shall appoint appropriate staff member(s) or Councillor 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 Parish Council shall be authorised, approved and paid in accordance with the law, proper practices and the Parish Council's financial Standing Orders.
- c. The Responsible Financial Officer shall supply to each councillor prior to each Parish Council meeting a statement summarising
 - i. income and expenditure to date
 - ii. the balances held to date 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 31 March, the Responsible Financial Officer shall provide to the Parish Council at the Annual Meeting
 - i. a statement summarising income and expenditure for the last financial year.
 - ii. accounting statements for the last financial year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
 - iii. a properly balanced budget for the coming year taking into account agreed level of precept for that year
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Parish Council income and expenditure for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Parish Council. The annual governance and accountability return of the Parish Council, which is subject to external audit, including the annual governance statement, shall be presented to the Parish Council for consideration and formal approval before 30 June.

17. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Parish Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, in the form of Financial Standing orders, which include detailed arrangements of the following:
 - i. the keeping of accounting records and systems of internal controls
 - ii. the assessment and management of financial risks
 - 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 Parish Council's accounts and/or orders of payments
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 + VAT but less than the relevant thresholds referred to in standing order 17(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).**
- d. Subject to additional requirements in the financial regulations of the Parish 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 Parish Council’s specification (ii) the time, date and address for the submission of tenders (iii) the date of the Parish Council’s written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the 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 Parish Council or a committee with delegated responsibility.
 - vii. as an alternative to (d)iii, the Parish Council may opt to make the opportunity available only to a number of specific contractors who have been selected for that purpose, provided that the value of the contract is less than the relevant thresholds referred to in standing order 17(f)
- e. Neither the Parish Council, nor a committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender. However there must be reasons provided for the lowest tender not to be accepted and this must be agreed by the Parish Council prior to acceptance of a tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.**

18. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of the Parish Council OR any other committee is subject to standing orders 19, 20 and 26.

- b. Subject to the Parish Council's policy regarding absences from work, the Parish Clerk shall notify the Chair of the Parish Council or, if they are not available, the Vice Chair of the Parish Council of staff absences and report such absence to next Parish Council meeting.
- c. The Parish Council will appoint three Councillor's to handle staffing issues, two of whom will conduct an annual appraisal of the work of the Parish Clerk. The reviews and appraisal shall be reported in writing and to a Parish Council meeting. The Parish Clerk and one other Councillor will conduct an annual appraisal of other staff also reporting in writing to the Parish Council meeting.
- d. Subject to the Parish Council's policy regarding the handling of grievance matters, the Parish Clerk will contact the Chair of the Parish Council or in their absence, the Vice-Chair regarding an informal or formal grievance matter. This matter shall be reported back and progressed by resolution of the Parish Council.
- e. Subject to the Parish Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff and relates to the Chair or Vice-Chair of the Parish Council, this shall be communicated to another Councillor, which shall be reported back and progressed by resolution of the Parish Council committee.
- f. Any persons responsible for all or part of the management of staff shall treat as confidential the records of all meetings relating to their performance, capabilities, grievance, or disciplinary matters.
- g. In accordance with standing orders 19, 20 and 26, persons with line management responsibilities shall have access to staff records referred to in 18(f).

19. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 20.

- a. **In accordance with freedom of information legislation, the Parish Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Parish Council.**
- b. **The Parish Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

20. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION – the list below is not an exclusive list. See also Standing Order 26

- a. **The Parish Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
- b. **The Parish Council shall have a written policy in place for responding to and managing a personal data breach.**
- c. **The Parish 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.**

- d. **The Parish Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- e. **The Council shall maintain a written record of its processing activities.**

21. RELATIONS WITH THE PRESS/MEDIA

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

22. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing order 14 xiv

- a. A legal deed shall not be executed on behalf of the Parish Council unless authorised by a resolution.
- b. **Subject to standing order 22(a), any two councillors may sign, on behalf of the Parish Council, any deed required by law and the Proper Officer shall witness their signatures.**

23. COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS

An invitation to attend a meeting of the Parish Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Councils. There may also be a dialogue between meetings on issues such as roads, planning and other relevant matters.

24. RESTRICTIONS ON COUNCILLOR ACTIVITIES

Unless duly authorised by the Parish Council, no Councillor shall inspect any land or premises which the Council has a right or duty to inspect or issue orders, instructions, or directions relating to the land or premises.

25. STANDING ORDERS GENERALLY

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the Parish Council's standing orders, except one that incorporates mandatory legal requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer.
- c. The Proper Officer shall provide a copy of the Parish Council's standing orders to a new councillor as soon as possible after election

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

26 MANAGEMENT OF INFORMATION

See also standing order 19.

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c. **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d. **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

APPENDIX A Statutory Meeting Rules

The Parish Council has some flexibility in deciding how to manage council meetings but the following statutory rules, established in law, must be followed for all 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. 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. The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR [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. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e. 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.**
- f. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- g. 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.**
- h. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his absence be done by, to or before the Vice-Chair of the Council**
- i. The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice- Chair of the Council, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- j. 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.**

- k. The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not they gave an original vote.**
- l. 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 his vote for or against that question.**
- m. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- n. 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.**
- o. If a meeting is or becomes inquorate no business shall be transacted.**
- p. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- q. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- r. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- s. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- t. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- u. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- v. In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- w. The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council.**
- x. The Chair 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.**

- y. The Vice-Chair of the Council, if there is one, unless they resign 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.**
- z. In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- aa. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- bb. Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:
 - a. In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;****
- cc. The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- dd. If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- ee. If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- ff. Unless they have 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.**
- gg. Unless they have 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 they have another interest if so required by the Council's code of conduct. may**

return to the meeting after it has considered the matter in which they had the interest.

hh. Dispensation requests shall be in writing, using the correct pro-forma 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.

ii. A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the Council, or committee or sub-committee for which the dispensation is required] and that decision is final.

jj. A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- iv. an explanation as to why the dispensation is sought.

kk. Subject to Appendix A points hh and jj, a dispensation request 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].

ll. A dispensation may be granted in accordance with Appendix A point ii if having regard to all relevant circumstances any of the following apply:

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
- ii. granting the dispensation is in the interests of persons living in the Council's area; or
- iii. it is otherwise appropriate to grant a dispensation.

APPENDIX B *The Annual Meeting Agenda will be as follows:*

- a. Confirmation of the accuracy of the minutes of the last meeting of the Council.
- b. Receipt of the minutes of the last meeting of a committee.
- c. Consideration of the recommendations made by a committee.
- d. Review of delegation arrangements to committees, sub-committees, staff, and other local authorities.
- e. Review of the terms of reference for committees.
- f. Appointment of members to existing committees.
- g. Appointment of any new committees.
- h. Review and adoption of appropriate standing orders and financial regulations.
- i. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- j. Review of representation on or work with external bodies and arrangements for reporting back.
- k. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future.
- l. Review of inventory of land and other assets including buildings and office equipment.
- m. Confirmation of arrangements for insurance cover in respect of all insurable risks.
- n. Review of the Council's and/or staff subscriptions to other bodies.
- o. Review of the Council's complaints procedure.
- p. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation.
- q. Review of the Council's policy for dealing with the press/media.
- r. Review of the Council's employment policies and procedures.
- s. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- t. To discuss and agree the end of year financial report and final set of accounts in order to sign off the audited accounts and external auditor report.