

Godmanchester Town Council

Standing Orders

Based on NALC Model Standing Orders 2018 (England)

This policy was formally adopted by the Town Council at the Town Council meeting held on 17 January 2019

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Cllr Sarah Conboy
TOWN MAYOR

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INTRODUCTION TO STANDING ORDERS

Standing orders are the written rules of the council. Standing orders are essential to regulate the proceedings of a meeting. The council also uses standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Standing orders that are in bold type contain legal and statutory requirements. Standing orders not in bold are designed to help the council operate effectively.

1. RULES OF DEBATE AT MEETINGS

- a Recommendations on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Mayor.
- b A recommendation on the agenda that is not moved by its proposer may be treated by the Mayor as withdrawn.
- c An amendment is a proposal to remove or add words or sentences to a recommendation.
- d If an amendment to the original recommendation is carried, the original recommendation (as amended) becomes the substantive recommendation upon which further amendment(s) may be moved.
- e A councillor may move an amendment to his own recommendation if agreed by the meeting.
- f If there is more than one amendment to an original or substantive recommendation the amendments shall be moved in the order directed by the Mayor.
- g Subject to standing order 1(h), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Mayor.
- h One or more amendments may be discussed together if the Mayor considers this expedient but each amendment shall be voted upon separately.
- i A councillor may not move more than one amendment to an original or substantive recommendation.
- j The mover of an amendment has no right of reply at the end of debate on it.
- k Where a series of amendments to an original recommendation are carried, the mover of the original recommendation shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive recommendation immediately before it is put to the vote.
- l Unless permitted by the Mayor, a councillor may speak once in the debate on a recommendation except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion/resolution has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- m During the debate on a recommendation, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- n A point of order shall be decided by the Mayor and his decision shall be final.
- o When a recommendation is under debate, no other recommendation shall be moved except:
 - i. to amend the recommendation;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the recommendation to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a recommendation to a working party for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- p Before an original or substantive recommendation is put to the vote, the Mayor shall be satisfied that the motion has been sufficiently debated and that the mover of the recommendation under debate has exercised or waived his right of reply.
- q Excluding recommendations moved under standing order 1(o), the contributions or speeches by a councillor shall relate only to the recommendation under discussion and shall not exceed 3 minutes without the consent of the Mayor.

2. DISORDERLY CONDUCT AT MEETINGS

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

3. MEETINGS GENERALLY

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises**

are available free of charge or at a reasonable cost.

- b** The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c** 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
- 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** Members of the public may make representations, answer questions and give evidence at a meeting during the period of public participation, which they are entitled to attend, in respect of the business on the agenda and other matters of interest to residents.
- f** The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 10 minutes unless directed by the Mayor.
- g** Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h** In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The Mayor may direct that a written or oral response be given at a later time.
- i** A councillor shall raise his hand when requesting to speak.
- j** A councillor who speaks at a meeting shall direct his comments to the Mayor.
- k** Only one person is permitted to speak at a time. If more than one person wants to speak, the Mayor shall direct the order of speaking.
- l** **Subject to standing order 3(m), 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.**
- m** **A person present at a meeting may not provide an oral report or oral commentary about a meeting, as it takes place, without permission.**
- n** **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.**
- o** **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or for the Mayor may in his**

absence be done by, to or for the Deputy Mayor.

- p **The Mayor, if present, shall preside at the meeting. If the Mayor is absent from a meeting, the Deputy Mayor if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors voting.**
- r **The Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

See standing orders 5(j) and (k) for the different rules that apply in the election of the Mayor at the annual meeting of the Council.

- s **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.** Such a request shall be made before moving on to the next item of business on the agenda, and agreed by show of hands.

- t The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii the names of councillors who are present and the names of councillors who are absent and reasons for absence;
- iii interests that have been declared by councillors;
- iv the grant of dispensations (if any) to councillors;
- v. whether a councillor left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii the resolutions made.

- u **A councillor who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

- v **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.**

- w **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

- x A meeting shall not exceed a period of 3 hours.

- y The Council will follow the principles of The Equality Act 2010. Everyone

should be valued as an individual, and treated with dignity and respect. Discrimination by Councillors, employees, visitors or members of the public on any grounds will not be tolerated.

4. WORKING PARTIES

- a The Council may, at its Annual Meeting or at Full Council Meetings, appoint any Working Parties necessary to assist the smooth and speedy running of the Council, subject to a number of restrictions.
- b There is no requirement for a vote to be taken by working parties; what should be expressed is the consensus view, both good and bad, in the form of a report to council to inform a debate on the topic at a council meeting. Any recommendations made will be subject to full Council vote;
- c Working Parties will only include Council members but at the discretion of the Mayor, members of the public with relevant expertise may be invited to attend and offer opinions without being entitled to vote. No possible contractor for the subject of the working party can be co-opted to or address the working party.
- d All Working Party papers and supporting information for discussion at Town Council meeting should be lodged with the Town Clerk by 9.00.am Friday before the Town Council Meeting.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c In an election year, all Cllrs will make their Declaration of Acceptance of Office to the Town Clerk before commencement of the annual meeting.
- d **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- e **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.**
- f **The first business conducted at the annual meeting of the Council shall be the election of the Mayor who will declare their acceptance of office as Mayor.**
- g This will be followed by election of the Deputy Mayor who will declare their acceptance of office as Deputy Mayor.
- h **The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is**

elected at the next annual meeting of the Council.

- i **The Deputy Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- j **In an election year, if the current Mayor has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but shall give a casting vote in the case of an equality of votes.**
- k **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the new Mayor and shall give a casting vote in the case of an equality of votes.**
- l Following the election of the Mayor and Deputy Mayor of the Council at the annual meeting, the business shall include
 - i. **In an election year, delivery by the Mayor 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 Mayor of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Outgoing Mayor's announcements
 - iv. Review and adoption of appropriate Standing Orders, Financial Regulations; and Code of Conduct.
 - v. Review/appointment to working party groups and portfolios who will appoint a chair following their first group meeting.
 - vi. 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;
 - vii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
 - viii. Agree process for annual review of
 - i. arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
 - ii. inventory of land and other assets including buildings and office equipment;
 - iii. confirmation of arrangements for insurance cover in respect of all insurable risks;
 - iv. Council's and/or staff subscriptions to other bodies
 - v. Council's complaints procedure;

- vi. Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (see also standing orders 11, 20 and 21);
- vii. Council's policy for dealing with the press/media
- viii. Council's employment policies and procedures;
- ix. Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- x. Council's representation on or work with external bodies and arrangements for reporting back;

6. EXTRAORDINARY MEETINGS OF THE COUNCIL

- a **The Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor 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.**

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months, except in exceptional circumstances as recommended by a working party.

When a recommendation has not been agreed no similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

- a In an election year nominations for Mayor and Deputy Mayor should be lodged with the Town Clerk seven days prior to the Annual Meeting. The Town Clerk will then officially inform all Councillors of such nominations within 24 hours of nominations closing.
- b In a non election year nominations for Mayor and Deputy Mayor should be lodged with the Town Clerk seven days prior to the April Town Council meeting when a vote will be taken, with the formal appointment being made at the May Annual Meeting.
- c The vote may be either by show of hands or secret ballot, as requested and agreed by the participants.
- d 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.

- e Any paper vote is to be counted secretly by the Town Clerk and one other, non-involved member of the Council.
- f This process shall continue until a majority of votes is given in favour of one person who is then considered to be the winner. A tie in votes may be settled by the casting vote exercisable by the Mayor. If that Councillor is one of the candidates, the decision will be decided by the toss of a coin.
- g A member may withdraw from the contest at any time.

9. MANAGEMENT OF INFORMATION

See also standing order 18.

- 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.**

10. DRAFT MINUTES

- a Draft minutes of the previous Council meeting, which should include all proposed amendments, to be circulated with the agenda of the subsequent Council meeting.
- b Draft minutes of a previous council meeting which have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy shall be taken as read.
- c There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A recommendation to correct an inaccuracy

in the draft minutes can be moved at the meeting.

- d The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Mayor and stand as an accurate record of the meeting to which the minutes relate.
- e If the Mayor does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Mayor 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.”

11. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c If a councillor has a non statutory disclosable interest they may remain in the council chamber, but may not contribute to the discussion or vote unless they have been granted a dispensation .
- 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 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.
- f A decision as to whether to grant a dispensation shall be made by the Proper Officer OR by a meeting of the Council, and that decision is final. In the case of a query the Town Clerk will liaise with HDC Monitoring Officer.
- g 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.
- h **A dispensation may be granted in accordance with standing order 13(e) if**

having regard to all relevant circumstances any of the following apply:

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

12. CODE OF CONDUCT COMPLAINTS

- a Complaints received by the Town Clerk about an individual councillor possibly being in breach of the council's code of conduct should be referred to the monitoring officer at HDC, and also reported to the Mayor.
- b If a complaint is made by the Town Clerk about a possible breach of the code of conduct by a councillor, the Town Clerk shall notify the Mayor of this fact, and the Mayor 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 11(d).
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

13. PROPER OFFICER

- a The Proper Officer shall be the Town Clerk or, if the Town Clerk is absent, the Deputy Town Clerk.
- b The Proper Officer shall:
 - i. **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).**
- ii. **convene a meeting of the Council for the election of a new Mayor, occasioned by a casual vacancy in his office;**
- iii. **facilitate inspection of the minute book by local government electors;**
- iv. **receive and retain copies of byelaws made by other local authorities;**
- v. hold acceptance of office forms from councillors;
- vi. hold a copy of every councillor's register of interests;
- vii. assist with responding to requests made under Freedom of Information Act 2000 and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- viii. liaise, as appropriate, with the Council's Data Protection Officer appointed by CAPALC;
- ix. receive and send general correspondence and notices within an approved framework on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
(see also standing order 21);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. Record electronically every planning application notified to the Council and the Council's response to the local planning authority;
- xiv. Refer a planning application received by the Council to the Chairman of the Planning Working Party within two working days of receipt. To facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council as agreed with the Mayor or, in their absence, chair of Planning Working Party;

- xv. manage access to information about the Council via the publication scheme;
- xvi. retain custody of the seal of the Council which shall not be used without a resolution to that effect.

14. RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer. Commonly the Town Clerk is appointed to undertake this role, and Deputy Town Clerk appointed to cover any periods of absence of the Town Clerk.

15. 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". Payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported, and include a comparison with the budget for the financial year and highlight any actual or potential overspends.
- c As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- d The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or 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 Council. The annual governance and accountability return of the Council, which

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

- e Chairs of portfolio groups, in conjunction with the Responsible Financial Officer, will prepare and deliver estimates for the following year's precept and expenditure by 30 September each year. During October a Finance Working Party will be held, followed by a Finance Town Council meeting. Final agreement of the budget will be at the November Council meeting.

16. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal 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
- b. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- c. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.

- 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 (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;
 - iii. the invitation to tender shall be advertised on the Town Council website 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.
- e. The Council is not bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

17. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by the Personnel Working Party or a meeting of the Council is subject to standing order 9.
- b. The Mayor or, in his absence, the Deputy Mayor shall conduct an annual appraisal of the work of the Town Clerk. The appraisal shall be recorded in writing. Council should be informed it has been undertaken.
- c. If any member of staff has an informal or formal grievance this should be brought to the attention of the Mayor or Deputy Mayor in line with the Grievance Policy. The Mayor or Deputy Mayor will then request the Personnel Working Party to investigate following its procedures.
- d. If the informal or formal grievance relates to the Mayor, this should be given to the Deputy Mayor to manage as above.
- e. 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. Only persons with line management responsibilities shall have access to staff records

- f The council shall keep all written records, relating to employees, secure in line with standing order 19.

18. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 19.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b *If gross annual income or expenditure (whichever is the higher) exceeds £200,000* **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

19. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 9.

- a **The Council shall appoint a Data Protection Officer via CAPALC.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising their statutory rights concerning their 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.**

20. 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 in accordance with the Council's policy in respect of dealing with the press and/or other media.

21. EXECUTION AND SEALING OF LEGAL DEEDS

Anything Council has to do which has legal implications needs to be signed by the Proper Officer (Town Clerk) eg: notices of election or casual vacancy; notices of end of year audit process; lease documents/rental agreements/valuation negotiations/licences/agreements with other authorities. For example, the Town Clerk signed Section 30 agreement with the Environment Agency regarding access to and maintenance of the flood alleviation scheme affecting the Town Hall on behalf of the Town Council – no other person had authority to sign such documents. *See also standing orders 15(b)(xi) and (xvi).*

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 21(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

OR if common seal is unavailable

Subject to standing order 21(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

22. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillors of the District and County Council representing the area of the Council.

23. 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 recommendation to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, on the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the Mayor as to the application of standing orders at the meeting shall be final.