

DARENTH PARISH COUNCIL

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1. Meetings Generally

Reference should be made to standing order 5 with regard to 'Public Participation'

- (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) 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
- (d) Subject to standing order 3(l), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present
- (e) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission
- (f) 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
- (g) Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council
- (h) The Chairman of the Council, if present, shall preside at the meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council if present shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting
- (i) Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting
- (j) The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote

See standing orders 2(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council

See standing order 4 for all meetings held under the emergency provisions introduced under The Coronavirus Act 2020

- (k) 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.

- (l) 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
 - (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
- (t) 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
- (u) No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three
- (v) 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
- (w) A meeting shall not exceed a period of 1 hour 45 minutes

2. 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 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) If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm
- (d) In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides
- (e) The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman of the Council
- (f) The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council
- (g) The Vice-Chairman of the Council, unless he 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, he shall preside at the annual 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 shall give a casting vote in the case of an equality of votes
- (i) In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes
- (j) Following the election of the Council and Vice-Chairman of the Council at the annual meeting, the business 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 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) Review of delegation arrangements to staff
 - (iv) Review and adoption of appropriate standing orders and financial regulations
 - (v) Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses
 - (vi) Review of representation on or work with external bodies
 - (vii) 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
 - (viii) Review of inventory of land and other assets including buildings and office equipment
 - (ix) Confirmation of arrangements for insurance cover in respect of all insurable risks
 - (x) Review of the Council's and/or staff subscriptions to other bodies
 - (xi) Review of the Council's complaints procedure
 - (xii) Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*See also standing orders 10, 19 and 20*)
 - (xiii) Review of the Council's policy for dealing with the press/media
 - (xiv) Review of the Council's employment policies and procedures
 - (xv) Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence
 - (xvi) Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council

3. Extraordinary Meetings of the Council

- (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 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

4. Meetings Held Under The Coronavirus Act 2020

Note – This standing order stands in place of standing orders 1, 2 & 3 for as long as the emergency measures introduced under The Coronavirus Act 2020 apply

- (a) The Coronavirus Act 2020 (Section 78(2)) makes provision for 'persons to attend, speak at, vote in, or otherwise participate in, local authority meetings without all of the persons, or without any of the persons, being together in the same place
- (b) This standing order applies to meetings of the Council that are required to be held or held before 7 May 2021, or earlier, in accordance with secondary legislation.
- (c) The Council shall hold its meetings at such hour and on such days, and alter the frequency, move or cancel such meetings as it may determine, without requirement for further notice.
- (d) This standing order shall apply notwithstanding any standing orders or rules to the contrary.
- (e) For the purposes of this standing order:
 - (i) 'remote access' means attendance, participation in or observance of a meeting by electronic means, including by telephone conference, video conference, live webcasts and live interactive streaming;
 - (ii) 'attendance' means both attendance in person and participation in the meeting by councillors and observance of the meeting, by the public and press using one of the methods of remote access, described above, in real time when the meeting is in open session;
 - (iii) 'place' means more than one location, including the Parish Office, an electronic or a digital or virtual location, a web address or a conference call telephone number.
- (f) For a meeting to be quorate the attendance, described above, shall require the participation of three councillors
- (g) A person, whether a councillor or a member of the public or press may attend meeting by remote access
- (h) Meetings shall be held at a place to suit the Council's needs and capacity
- (i) Remote attendance of members at meetings shall only be permitted where the conditions of Section 5(3) of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 are met. A councillor will be in remote attendance where they are able to hear and, where practical, see and be similarly heard or seen by –

- (i) other Members whether attending in person or in remote attendance
 - (ii) any members of the public who are attending remotely to exercise a right to speak at the meeting in accordance with constitutionally adopted procedures and
 - (iii) any other members of the public and press attending the meeting remotely to observe.
- (j) A councillor who has declared an interest in an item shall pause/exit their remote access whilst the item is being considered. The chairman of the meeting shall inform/re-invite the councillor (whether by e-mail or otherwise) when to re-start the remote access and resume their participation in the meeting. Where practicable, discussion in an item in which a councillor has declared an interest, or where they become aware during discussion of an item that they need to declare an interest, shall be moved to the end of the agenda.
- (k) Where the public and press are excluded (either for the whole or part of the meeting in accordance with standing orders before members can participate in the consideration of any confidential and/or exempt item of business, they shall confirm to the chairman of the meeting, that they are in a secure and private location, and that no-one else is able to hear or view the proceedings from their device.
- (l) The chairman of the meeting may call for a short adjournment of the meeting to enable the rectification of any failure in technological provision or the loss of a quorum arising from technical failure, or loss of a quorum for any other reason.
- (m) The failure of any technological provision, including lack of network coverage for the public and the press, whether that leads to a partial or complete loss of contact between the remote attendees shall not invalidate any part of the deliberations of or any vote taken at the meeting, providing a quorum is maintained. If a quorum is lost, the matters in question shall be reaffirmed once a quorum has been restored.
- (n) Votes shall be taken by affirmation (e.g. 'Is that agreed?') providing that this is clear and apparent
- (o) Votes may be recorded in accordance with standing orders
- (p) If there is an equality of votes (whether or not the voting includes a vote by the chairman of the meeting) the chairman of the meeting shall have a casting vote
- (q) Minutes shall be drawn up and recorded in accordance with standing orders and shall be submitted for confirmation to the next succeeding meeting of the Council, whether this is held remotely or in a physical location. Where Minutes are agreed at a remote meeting, they shall be retrospectively signed by the chairman of the meeting at the next physical meeting of the Council
- (r) For the purposes of this standing order, notices, agendas, reports, background papers, Minutes etc shall be deemed to be 'open to inspection' and supplied by publication on the Council's website only

5. Public Participation

- (a) All meetings are open to the public under Section 1(1) Public Bodies (Admission to Meetings Act) 1960 unless the public are excluded by resolution under Section 1 (2) of the 1960 Act.
- (b) Meetings of Darenth Parish Council are not public meetings, but members of the public have a statutory right to attend meetings of the council as observers.
- (c) Members of the public have no legal right to speak unless the chairman of the meeting authorises them to do so.
- (d) Members of the public may be excluded by a resolution of the meeting for specific items which need to be discussed in confidence for example staffing matters, tenders for contracts and some legal issues.
- (e) It is important to remember that no decisions can be made on any item raised by the public because the item would not have been legally notified on an agenda in advance.
- (f) Members of the public are welcome to stay for the Council meeting as observers but will not be able to join in discussions unless invited to do so by the chairman of the meeting.
- (g) Members of the public cannot be involved in the decision-making of the Council.
- (h) Written statements to be read on behalf of a member of the public must be received by the Proper Officer at least 3 clear working days prior to the meeting. A question received in writing in advance of the meeting shall NOT be responded to at the meeting nor must it start a debate on the question. The Chairman may direct that a written response be given following the meeting
- (i) The chairman of the meeting has the right to determine if any question or statement is inappropriate and to dismiss it.
- (j) 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 film, photograph or make an audio recording of a meeting
- (k) Neither councillors nor the Clerk shall be pressurised to respond immediately to comments made by the public.
- (l) A question raised will not require an immediate response and there should be no debate or discussion between the Council and the public.
- (m) Topics raised by the public will be included in the minutes of the meeting.
- (n) Libellous, offensive and discriminatory comments will not be minuted.
- (o) Offensive or threatening behaviour will not be tolerated. If a member of the public interrupts the proceedings of any meeting the council reserves the right to curtail the contribution of that person and to exclude a disorderly person.
- (p) Everyone present will act respectfully towards every other person and will NOT act in a manner that demeans, insults, threatens or intimidates.
- (q) If an issue raised is on the agenda, then it will be discussed under the appropriate item and councillors may resolve to move that item up the agenda.

- (r) All attendees will act respectfully towards every other person present and will not act in a manner that demeans, insults, threatens or intimidates another person.
- (s) All statements, questions and responses, challenges to statements, complaints or criticisms must be made politely.

6. Disorderly Conduct at Meeting

- (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 be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion
- (c) If a resolution made under standing order 5(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting

7. Previous Resolutions

- (a) A resolution shall not be reversed within six 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 9
- (b) When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months

8. Voting on Appointments

- (a) Voting will be by a secret ballot.
- (b) 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. The process shall continue until a majority of votes is given in favour of one

9. Motions for a Meeting That Require Written Notice to be Given to the Proper Officer

- (a) A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents
- (b) No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least seven clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting
- (c) The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion
- (d) If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it so that it can be understood, in writing, to the Proper Officer at least five clear days before the meeting

- (e) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected
- (f) The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final
- (g) Motions received shall be recorded and numbered in the order that they are received
- (h) Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection

10. Motions at a Meeting That Do Not Require Written Notice

- (a) The following motions may be moved at a meeting without written notice to the Proper Officer:
 - (i) to correct an inaccuracy in the draft minutes of a meeting
 - (ii) to move to a vote
 - (iii) to defer consideration of a motion
 - (iv) to appoint a person to preside at a meeting
 - (v) to change the order of business on the agenda
 - (vi) to proceed to the next business on the agenda
 - (vii) to require a written report
 - (viii) to extend the time limits for speaking
 - (ix) to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest
 - (x) to not hear further from a councillor or a member of the public
 - (xi) to exclude a councillor or member of the public for disorderly conduct
 - (xii) to temporarily suspend a meeting
 - (xiii) to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements)
 - (xiv) to adjourn the meeting or
 - (xv) to close the meeting

11. Management of Information

See also standing order 20

- (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

- (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

12. Draft Minutes

- (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 standing order 10(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, he shall sign the minutes and include a paragraph in the following terms or to the same effect: "The chairman of this meeting does not believe that the minutes of the Council held on [date] in respect of agenda item [insert] 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) Subject to the publication of draft minutes in accordance with standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed

13. Code of Conduct and Dispensations

See also standing order 1(t)

- (a) All councillors with voting rights 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) Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he had another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest
- (d) Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required
- (e) A decision as to whether to grant a dispensation shall be made by a meeting of the Council and that decision is final

- (f) A dispensation shall confirm:
 - (i) the description and the nature of the disclosable pecuniary interest or other interest to which the request for 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
- (g) Subject to standing orders 13(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the Council for which the dispensation is required
- (h) A dispensation may be granted in accordance with standing order 3(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

14. Code of Conduct Complaints

- (a) Upon notification by the Borough Council that it is dealing with a complaint that a councillor has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council
- (b) Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall 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 14(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 Borough 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.

15. Proper Officer

- (a) The Proper Officer shall be either the clerk or another person nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent

(b) The Proper Officer shall:

- (i) At least three clear days before a meeting of the Council –
- serve on the 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 subject to standing order Council convened by councillors is signed by them

See standing order 1(b) for the meaning of clear days for a meeting of the Council

- (ii) subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least five days before the meeting confirming his withdrawal of it
- (iii) convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office
- (iv) facilitate inspection of the minute book by local government electors
- (v) receive and retain copies of byelaws made by other local authorities
- (vi) hold acceptance of office forms from councillors
- (vii) hold a copy of every councillor's register of interests
- (viii) assist to responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures
- (ix) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary
- (x) assist in the organisation of storage of, 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 23*)
- (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 every planning application notified to the Council and the Council's response to the local planning authority

- (xiv) refer a planning application to councillors within two working days of receipt to facilitate a response, if required before the next ordinary meeting of the Council and
- (xv) manage access to information about the Council via the publication scheme

16. Responsible Financial Officer

- (a) The Council shall appoint a person to undertake the work of the Responsible Financial Officer when the Responsible Finance Officer is absent

17. 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 the end of each month a statement to summarise:
 - (i) the Council's income and expenditure for each month
 - (ii) the Council's aggregate income and expenditure for the year to date and
 - (iii) the balances held at the end of each month being reported
- (d) 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 income and expenditure for the last month and the year to date for information and
 - (ii) to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval
- (e) The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure) for the year to 31 March. A draft annual governance and accountability return shall be presented to all councillors at least fourteen 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, subject to standing order 4, be presented to the Council for consideration and formal approval before 30 June

18. Financial Controls and Procurement

- (a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - (i) the keeping of accounting records and systems of internal controls

- (ii) the inspection he assessment and managements 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) 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) 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 £15,000 shall be procured on the basis of a formal tender as summarised in standing order 18(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 (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 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
- (e) The Council is not bound to accept the lowest value tender
- (f) In respect of the tendering and award of a public supply contract, public service contract or public works contract, the Council must comply with the Public Contracts Regulations 2015 ("The Regulations") where the value of a contract is likely to exceed the thresholds specified in The Regulations set by the Public Contracts Directive 2014/24/EU (which may change from time to time) unless it proposes to use an existing list of approved suppliers (framework agreement).

19. Handling Staff Matters

- (a) A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 11
- (b) Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chairman of the Council or, if he is not available, the Vice-Chairman of the absence occasioned by illness or other reason and that person shall report such absence at the next meeting of the Council
- (c) The Chairman of the Council 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 member of staff's job. The reviews and appraisal shall be reported in writing and are 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 member of staff shall contact the Chairman of the Council or, in his 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 member of staff relates to the Chairman of the Council or the Vice-Chairman, this shall be communicated to another councillor which shall be reported back and progressed by resolution of the Council
- (f) Any person responsible for the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters
- (g) In accordance with standing order 11(a), the person with line management responsibilities shall have access to staff records referred to in standing order 19(f)

20. Responsibilities to Provide Information

- (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 £200,00 the Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements)(England) Regulations 2015

21. Responsibilities Under Data Protection Legislation

See also standing order 11

- (a) The Council may appoint a Data Protection Officer
- (b) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data
- (c) The Council shall have a written policy in place for responding to and managing a personal data breach
- (d) The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken

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

22. 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

23. Execution and Sealing of Legal Deeds

See also standing order 15(b)(xi)

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

24. Communicating with Borough and 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 Borough and County Council representing the area of the Council

25. Restrictions on Councillor Activities

- (a) Unless duly authorised 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

26. 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 Council's standing orders, except one that incorporates mandatory statutory or legal requirements shall be proposed by a special motion, the written notice by at least two 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 chairman of a meeting as to the application of standing orders at the meeting shall be final