

STIRCHLEY AND BROOKSIDE PARISH COUNCIL STANDING ORDERS

May 2020

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1. Meetings generally

Regulations are mandatory where indicated in bold	FC	C	SC
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.	Y		
b. When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count. The summons to the meeting may be sent to Councillors electronically, hard copies will be available on request and at the meeting.	Y	Y	
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.	Y	Y	
d. Subject to standing order 1(c) above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda, so long as this is done during the period set aside for public participation.			
e. The period of time which is designated for public participation in accordance with standing order 1 (d) above) shall not exceed 15 minutes.			
f. In accordance with standing order 1 (d) above, a question asked by a member of the public during participation at a meeting shall not require a response or debate.			
g. In accordance with standing order 1 (d) above, the Chair may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.			
h. A record of a public participation session at a meeting shall be included in the minutes of that meeting.			
i. A person shall raise his hand when requesting to speak. Any person speaking at a meeting shall address his comments to the Chair.			
j. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.			
k. Subject to standing order (1 l), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make and 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.	Y	Y	
l. A person present may not provide an oral report or oral commentary about a meeting as it takes place without prior permission from the council.	Y	Y	
m. In accordance with standing order 1 (c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.	Y	Y	
n. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in his absence be done by, to or before the Vice-Chair(if any).	Y		

Regulations are mandatory where indicated in bold	FC	C	SC
o. The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.	Y		
p. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.	Y	Y	Y
q. The Chair 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 also standing orders 2 (i) and (j) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.	Y	Y	Y
r. Unless standing orders provide otherwise, voting on any questions shall be by a show of hands (see also standing order 2 k). 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.	Y		
s. The minutes of a meeting shall include an accurate record of the following: <ul style="list-style-type: none"> a. the time and place of the meeting b. the names of councillors who are present and the names of councillors who are absent c. interests that have been declared by councillors and non-councillors with voting rights d. the grant of dispensations (if any) to councillors and non-councillors with voting rights; e. whether a councillor or non-councillors with voting rights left the meeting when matters that they held interests in were being considered f. if there was a public participation session; and g. the resolutions made. 	Y	Y	Y
t. A Councillor or 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/her right to participate and vote on that matter.. (See also standing orders 7 and 8 below.)	Y	Y	Y
u. No business may be transacted at a meeting unless at least one third of the whole number of members of the Council or committer are present and in no case shall the quorum of a meeting be less than three.	Y	Y	
v. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.	Y	Y	Y
w. Meetings shall not exceed a period of 2 hours.			

2. Ordinary Council Meetings

See also standing order 1 above.

- a. **In an election year, the annual meeting of the Council shall be held within 14 days following the day on which the new councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e. **The election of the Chair and Vice-Chair (if any) of the Council shall be the first business completed at the annual meeting of the Council.**
- f. **The Chair 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-Chair of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h. **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**
- i. **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - i. **In an election year, delivery by councillors of their declarations of acceptance of office 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 and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Receipt of nominations to existing committees.
 - iv. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - v. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - vi. Review of representation on or work with external bodies and arrangements for reporting back.

- vii. In a year of elections, the Council's period of eligibility to exercise the "General Power of Competence" expires the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- viii. Review of the Council's and/or employees' memberships of other bodies.
- ix. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

- k. The following shall be reviewed at least annually or in the case of changes in legislation or guidance:
 - i. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - ii. Review of the terms of references for committees.
 - iii. Review and adoption of appropriate standing orders and financial regulations.
 - iv. Review of inventory of land and assets including buildings and office equipment.
 - v. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - vi. Establishing or reviewing the Council's complaints procedure.
 - vii. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018.
 - viii. Establishing or reviewing the Council's policy for dealing with the press/media.
- l. Voting will ordinarily be done by show of hands unless the Council have agreed a policy stating otherwise. (see policy on Casual Vacancies and Co-option).

3. Extraordinary meetings of the council and committees and sub-committees

See also standing order 1 above

- a. **The chair of the council may convene an extraordinary meeting of the Council at any time.**
- b. **If the chair of the council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so in writing by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c. The chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d. If the chair of a committee (or sub-committee) does not or refuses to call an extraordinary meeting within 2 days of having been requested to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

4. Committees sub-committees and advisory committees

See also standing order 1 above.

- a. **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c. **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

- d. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. Shall determine their terms of reference;
 - ii. May permit committees to determine the dates of their meetings;
 - iii. Shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. May appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 3 days before the meeting that they are unable to attend;
 - v. An ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 4 (iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
 - vi. May in accordance with standing orders, dissolve a committee at any time.
- e. The Chair of the Council is an ex officio member of all the Council's Committees.

5. Public attendance at and reporting of meetings

See also standing order 7 below.

- a. Members of the public have the right to attend and report on council meetings (The Openness of Local Government Bodies Regulations 2014). Reporting is defined and means:
 - i. Filming, photographing or making an audio recording of proceedings at a meeting
 - ii. Using any other means (tweeting, blogging) for enabling persons not present to see or hear proceedings as a meeting as it takes place or later; or
 - iii. Reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later to persons not present
- b. Oral reporting will not be permitted as the meeting takes place if the person providing commentary is present at the meeting.
- c. Reporting will not be permitted in parts of the meeting where the council has resolved to exclude the press or public under Public Bodies (Admission to Meetings) Act 1960 s1.

6. Rules of debate

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the discretion of the chair of the meeting.
- b. A motion (including an amendment) shall not be considered unless it has been proposed and seconded.
- c. A motion on the agenda that is not moved by its proposer it, may be treated by the Chair of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendments(s) may be moved.

- g. A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- h. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair of the meeting.
- i. Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the chair considers this expedient but shall be voted upon separately.
- j. A councillor may not move more than one amendment to an original or substantive motion
- k. The mover of an amendment has no right of reply at the end of debate on it.
- l. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- m. Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:
 - i. To speak on an amendment moved by another councillor;
 - ii. To move or speak on another amendment if the motion has been amended since they last spoke;
 - iii. To make a point of order;
 - iv. To give a personal explanation; or
 - v. Exercise a right of reply.
- n. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the irregularity in the meeting they are concerned by.
- o. A point of order shall be decided by the chair and their decision shall be final.
- p. When a motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or to leave the meeting;
 - vi. to refer a motion to be a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend any standing order, except those which are mandatory.
- q. Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

- r. Excluding motions moved under standing order 6(p), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes.

7. 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 chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If, in the opinion of the Chair, there has been a breach of standing order 7(a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If resolution made in accordance with standing order 7(b) above, is disobeyed, the chair may take such further steps as may reasonably be necessary to enforce it and/or they may adjourn the meeting.

8. Rescission of previous resolutions

- a. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice by of at least 3 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b. When a special motion or any other motion moved pursuant to standing order 8(a) above has been disposed of, no similar motion may be moved within a further 6 months.

9. Voting on appointments

- a. Where more than 2 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. Any tie may be settled by the casting vote of the chair of the meeting.

10. Motions requiring written notice

- a. In accordance with standing order 17(b)(iii) below, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 8 clear days before the next meeting.
- b. The Proper Officer may, before including a motion in the agenda received in accordance with standing order 10(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received in accordance with standing order 10(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 8 clear days before the meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- e. Having consulted the Chair or councillors pursuant to standing order 10(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f. Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h. Every motion and resolution shall relate to the Council statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

11. Motions 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 appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the draft minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional, advisor, expert or consultant.
 - xvi. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed. (See standing orders 25 (a) and (b) below.)
 - xvii. To authorise the payment of monies up to £500.
 - xviii. To amend the motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.

- b. If a motion falls within the terms of reference of a committee or sub-committee, or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

12. Confidential business

- a. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware of a confidential nature.
- b. A councillor in breach of the provisions of standing order 12(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

13. Management of information

See also standing order 21 & 22.

- 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.**

14. Draft Minutes

- a. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 11(a)(iv) above.
- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting which the minutes relate.
- d. If the Chair 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 Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld

by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”

- e. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

15. Code of conduct and Dispensations

See also standing orders 1(d)-(i) and (s) – (t) above and section 15 below

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration or acceptance of office.
- c. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after which it has considered the matter in which he had the interest.
- d. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has 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.
- e. **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.
- f. A decision as to whether to grant a dispensation shall be made by the Proper Officer, and that decision is final.
- 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. Subject to standing orders 15 (e) and (g) above, dispensations requests 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.
- i. **A dispensation may be granted in accordance with standing order 15 (e) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council’s area or**

iii. It is otherwise appropriate to grant a dispensation.

16. Code of conduct complaints

- a. The Council has adopted the Code of Conduct for Local Government 2012.
- b. Councillors will comply with all requirements to register or amend such declarations of interest as may be required by the Code of Conduct.
- c. On receipt of a notification by Telford & Wrekin Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall report this to Council.
- d. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- e. 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;
- f. **Upon notification by Telford and Wrekin Council that a councillor or non-councillor with voting rights has breached the Councils' code of conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

17. Proper Officer

- a. The Council's Proper Officer shall be either the Clerk or, in the absence of the Clerk, a duly delegated officer. The Proper Officer shall fulfil the duties assigned to the Proper Officer in standing orders.
- b. The Council's Proper Officer shall do the following.
 - i. **Sign and serve on councillors by electronic means or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.]**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. Subject to standing orders 10(a)-(e) above, include in the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming withdrawal of it.
 - iv. Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [17(b)i] above.
 - v. Make available for inspection the minutes of meetings.
 - vi. Receive and retain copies of byelaws made by other local authorities.
 - vii. Receive and retain declarations of acceptance of office from councillors.
 - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - ix. Keep proper records required before and after meetings;

- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 2018, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Liaise with the Data Protection Officer.
- xiv. Arrange for legal deeds to be signed by 2 councillors and witnessed (see also standing orders 24 (a) and (b)).
- xv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvii. Refer a planning application received by the Council to the Chair or in his absence Vice-Chair) of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee].
- xviii. Take action to undertake activity or responsibilities instructed by resolution or contained in standing orders.

18. Responsible Finance Officer

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

19. 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 accounting records and systems of internal control;
 - ii. The assessment and management of financial risks faced by the Council;
 - iii. The work of the Internal Auditor 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.
 - v. Procurement policies (subject to standing order 19 (d) below) including the setting of values for different procedures where a contract has an estimated value of less than £25,000
- 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 but less than the relevant thresholds in standing order 19 (a.V.) 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 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Any formal tender process shall comprise the following steps:
 - i. A public notice of intention to place a contract to be placed in a local newspaper;
 - ii. The contract opportunity must be advised on the 'Contract Finder' website
 - iii. A specification of the goods, materials, services and the execution of works shall be drawn up;

- iv. Tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - v. Tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - vi. Tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- e. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- 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.**

20. 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 Council's financial regulations, which shall be reviewed at least annually.
- c. 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 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:
- 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 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 (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.

21. Matters affecting council employees

- a. All staff absences are subject to the Council's policy regarding absences from work. The Clerk will notify the chair of the Personnel sub- committee or, in his/her absence, the vice-chair of the Personnel sub- committee of any absences occasioned by illness or urgency at the next meeting of the Personnel sub- committee. The Clerk will take appropriate action in line with the Council's policies and will advise the Personnel sub- committee of all action taken at the earliest subsequent meetings.
- b. Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the chair of the Personnel sub-committee or in their absence, the vice-chair of the Personnel sub-committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed in accordance with the Council's grievance procedures.
- c. Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Chair or Vice-Chair of the Personnel sub-committee, this shall be communicated to another member of [the Personnel sub-committee], which shall be reported back and progressed in accordance with the Council's Scheme of Delegation.
- d. Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- e. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- f. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- g. Only persons with line management responsibilities shall have access to employee records referred to in standing orders 21(f) and (g) above if so justified.
- h. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 21(f) and (g) above shall be provided only to the Clerk.

22. Requests for information

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

23. Responsibilities under Data Protection Legislation

- 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 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.**

24. Relations with the press/media

- a. All requests from the press or other media for an oral or written statement or comment from the Council, its Councillors or staff shall be dealt with in accordance with the Council's policy in respect of dealing with the press and/or other media.

25. Execution and sealing of legal deeds

See also standing order 17 (a)(xvi)above

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. **Subject to standing order 25 (a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

26. Liaison 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 councillor of the Unitary Council representing its electoral ward.

27. Restrictions on councillor activities

- a. Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee;
 - I. Inspect any land and/or premises which the Council has a right or duty to inspect; or
 - II. Issue orders, instructions or directions.

28. 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.