



BRACKNELL
TOWN COUNCIL

Standing Orders

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1. *Bold text is used where reflecting legislative requirements*
2. *References to sub committees also relate to working groups*

1 Meetings

Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for working group meetings	●

- a **Meetings shall take place in the Council Chamber at Brooke House or in such other venue agreed as meeting the Council's requirements. They 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 **When calculating the 3 clear working days for notice of a meeting, 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.**
- 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 1(c) above, members of the public may be permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda.
- e The total period of time for public participation in accordance with standing order 1(d) above] shall not exceed 15 minutes.
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairman 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 officer for a written or oral response.

- i A record of public participation at a meeting shall be included in the minutes of that meeting.
- j A person shall raise his/ her hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chairman may at any time permit an individual to be seated when speaking.
- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m Photographing, recording, broadcasting or transmitting the proceedings of a meeting needs to accord with the procedure set out in Annex 1.**
- n 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.**
- o The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- p Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**
- q Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j) below.)**

- s **Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave 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.

- t **The minutes of a meeting shall record the names of councillors present and absent.**
- u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, the reason shall be recorded in the minutes of the meeting at which the approval was given.

- v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting, unless a dispensation is granted following a resolution.**

- w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.** (*See also standing orders 7 and 8 below.*)

- x **No business may be transacted at a meeting unless a quorum of members of that Committee/ the Council are present and in no case shall the quorum of a meeting be less than 3.**

- y **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.

- z Individual Meetings shall not exceed a period of two hours, with multiple meetings held during any one evening not exceeding three hours, unless agreed by the Chairman and the Town Clerk.

2 Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**

- b In a year which is not an election year, the annual meeting of 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 7.30pm.**
- 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 Mayor and Deputy Mayor (if any) of the Council shall be the first business completed at the annual meeting of the Council.**
- f The Mayor of the Council, unless he/ she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/ her successor is elected at the next annual meeting of the Council.**
- g The Deputy Mayor of the Council, if any, unless he/ she resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- h In an election year, if the current Mayor has not been re-elected as a member of the Council, he/ she shall preside at the meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor 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 Mayor has been re-elected as a member of the Council, he/ she shall preside at the meeting until a new Mayor of the Council has been elected. He/ she may exercise an original vote in respect of the election of the new Mayor of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor of the Council and Deputy Mayor (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.**
 - 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. Review of the terms of references for committees.
- iv. Receipt of nominations to existing committees.
- v. 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.
- vi. Review and adoption of appropriate standing orders and financial regulations.
- vii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- viii. Review of representation on or work with external bodies and arrangements for reporting back.
- ix. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence 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 delivery 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 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 working days before the meeting confirming his withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his/ her office, in accordance with standing order 3(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 1998, 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. Arrange for legal deeds to be signed by 2 councillors and witnessed or by the Town Clerk and a Councillor and witnessed (*See also standing order 14(a)*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding payments to be made by the Council in accordance with the Council's Financial Regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a record for such purpose;

4 Motions requiring written notice

- a** In accordance with standing order 3(b)(iii) above, 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 5 clear working days before the next meeting.
- b** The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c** If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d** If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e** Having consulted the Chairman or councillors pursuant to standing order 4(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 and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a** Motions in respect of the following matters may be moved without written notice.
- i. To 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 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 14(a) and (b) below.*)
 - xvii. To authorise the payment of monies for which a budget exists
 - xviii. To amend a 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 Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

An outline of the rules for conducting a debate are shown in annex 2.

- 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 Chairman's direction for reasons of expedience.
- b** Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c** Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d** A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e** A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f** Any amendment to a motion shall be either:
 - i. to refer the matter for consideration or re-consideration;
 - ii. to add or leave out words;.
- g** An amendment shall not have the effect of rescinding the original motion under consideration.
- h** Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

- i** Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j** Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k** If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l** If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m** The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- n** 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.
- o** Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p** 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 he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q** A point of order shall be decided by the Chairman and his decision shall be final.
- r** With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s** Subject to standing order 6(o) above, when a councillor's 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 for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t** In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct

- a All councillors 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 of acceptance of office.
- c** any Member with a Disclosable Pecuniary Interest in any matter to be (or being) considered at a meeting of the Council, a Committee or sub-Committee of the Council or a joint Committee shall:-
- (i)** if the interest is not entered on the Council's register of interests, disclose the interest to the meeting (unless the interest is a Sensitive Interest in which case the Member shall simply advise the meeting that they have a Disclosable Pecuniary Interest),
 - (ii)** if the interest is not entered on the Council's register of interests and is not the subject of a pending notification, notify the Monitoring Officer of the interest within 28 days,
 - (iii)** unless the Member has been granted a dispensation by the Council or by the Town Clerk, not participate in discussion or vote on the matter.

"Disclosable Pecuniary Interest" and "Sensitive Interest" shall each have the meaning as set out in the Code of Conduct". "Dispensations" are those determined by the Council under Section 33 of the Localism Act 2011, and granted under a procedure

agreed by the Council.

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 5 working clear days notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during a part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9 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 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, 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 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.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

- b** If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) 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 a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 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 whereof bears the names 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 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 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 Chairman's casting vote, unless the Chairman is a nominee..

13 Expenditure

- a** Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
- b** **The Council's Financial Regulations shall be reviewed once a year.**
- c** **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

14 Execution and sealing of legal deeds

See also standing order 5(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 of the Council.

15 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and also 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 5 days before the meeting that they are unable to attend;
 - v. may appoint co-opted members for specific matters who shall have the right to speak but not vote, but such co-options shall not exceed one third of the committee and shall be for one meeting only; and
 - vi. may in accordance with standing orders, dissolve a committee at any time.

16 Sub-committees

See also standing order 1 above

- a Unless there is a Council resolution to the contrary, a committee may appoint a sub-committee (working group) whose terms of reference and members shall be determined by resolution of that committee.

17 Extraordinary meetings

See also standing order 1 above

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

- b** If the Mayor 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 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 Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d** If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 3 councillors, those 3 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 3 councillors.

18 Advisory committees

See also standing order 1 above

- a** The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b** Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statements

- a** 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.
- b** The Responsible Financial Officer shall supply to each Budget Monitoring Working Group meeting a statement summarising the Council's receipts and payments for the each quarter and the balances. A Financial Statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20 Estimates/precepts

- a** The Council shall approve written estimates for the coming financial year at a meeting before the end of the previous year.
- b** Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than the end of November to be considered at the December council meeting.

21 Canvassing of and recommendations by councillors

- a** Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for an appointment to an officer position shall disqualify the candidate from such an appointment.
- b** A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c** This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a** Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23 Unauthorised 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.

24 Confidential business

- a** Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b** A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 Power of competence

- a** **Before exercising the power to promote competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b** **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c** **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

26 Matters affecting council employees

- a** If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b** Subject to the Council's policy regarding absences from work, the Town Clerk shall notify the Chairman of the Staffing Committee or in his/ her absence, the Vice-Chairman of any absence occasioned by illness.
- c** The Chairman of the Staffing Committee or in his/ her absence, the designated deputy shall upon a resolution conduct a review of the performance and/or appraisal of Town Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution of the Council

- d** Subject to the Council's policy regarding the handling of grievance matters, the Town Clerk shall contact the Chairman of the Council OR 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 and disciplinary matters, if an informal or formal grievance matter raised by an employee which relates to the Chairman or Vice-Chairman of a committee or sub-committee, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of Council.
- f** 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.
- g** 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.
- h** 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 employee.
- i** Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j** Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the Town Clerk, the Office Services Manager or the Town Mayor .

27 Freedom of Information Act 2000

- a** All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000. **(See appendix 4)**
- b** Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the council/committee. The council/committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests.

28 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 shall be processed in accordance with the Council's policy for dealing with the press and/or other media.

29 Financial matters

- a The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer (**See Appendix 1**), 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 29(b) below).
- b **Any proposed contract for the supply of goods, materials, services or the execution of works with an estimated value in excess of £50,000 shall be procured on the basis summarised in standing order 29(c) below.**
- c 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. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. 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;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the**

Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

30 Allegations of breaches of the Councillor Code of Conduct

- a** On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Council's Monitoring Officer.
- b** Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the 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.
- c** Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d** The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i.** Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii.** Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
 - iii.** Ensure that the public and press are excluded from meetings as appropriate.
 - iv.** Ensure that the minutes of meetings preserve confidentiality.
 - v.** Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e** Standing order 30(d) above should not prevent the Council from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f** The Council shall have the power to:
 - i.** seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii.** seek and share information relevant to the complaint;

- iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

31 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

- b A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 5 councillors.

32 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

- b The Chairman's decision as to the application of standing orders at meetings shall be final

- c A councillor's failure to observe the standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

Annex 1 - GUIDANCE FOR FILMING, AUDIO-RECORDING, PHOTOGRAPHING AND USING SOCIAL MEDIA AT COUNCIL AND COMMITTEE MEETINGS

1. Introduction

- 1.1 When meetings of the Council are open to the public any person attending may report on the meeting. This can take the form of:
- filming
 - audio-recording
 - taking photographs
 - using social media
 - using any other means to enable someone not present to see/hear proceedings as they take place or later
 - providing written commentary both during, outside or after the meeting
 - providing oral commentary outside or after the meeting
- 1.2 Oral commentary is not permitted during a meeting as this would be disruptive to the good order of the meeting.
- 1.3 You will not be able to report on meetings of the Council where confidential or exempt information is likely to be disclosed i.e. from a meeting or part of a meeting which the public are excluded from attending.
- 1.4 For the purposes of this guidance 'reporting' includes filming, audio- recording, photographing, written and oral commentary, and the use of social media. Social media includes, but is not limited to Twitter, Facebook and blogging.

2. Before the meeting

- 2.1 Reasonable facilities will be provided for any member of the public wishing to report on proceedings. Prior permission is not required, however anyone wishing to report on proceedings at a meeting is advised to contact the Democratic Services Office as early as possible before the start of the meeting so that arrangements can be discussed.

3. At the meeting

- 3.1 Notices will be displayed in the meeting room advising that proceedings may be reported in order for those who object to being filmed or photographed to be aware of the possibility.
- 3.2 Anyone filming or photographing during the meeting should take care not to film or photograph children without permission or anyone else present who objects to being filmed/photographed as long as this does not undermine the broader transparency of the meeting.
- 3.3 Members of the public attending a meeting to ask a question, present a petition or make a representation will be deemed to have given consent to being photographed, filmed or recorded.

- 3.4 Photography or filming should take place from a fixed position in the meeting room to ensure that the view of Councillors, officers, public and press, is not obstructed and the meeting is not disrupted.
- 3.5 Photography or audio/visual recording should not be conducted so as to disrupt the conduct of the meeting or impede other members of the public being able to see, hear or film etc the proceedings. Examples of disruptive conduct are:
- moving to areas outside the area designated for the public without the consent of the Mayor/Chairman
 - excessive noise in recording or setting up or re-siting equipment during the meeting
 - intrusive lighting and use of flash photography
 - asking people to repeat statements for the purposes of recording
- 3.6 If someone acts in a disruptive manner the Mayor/Chairman may ask the person to leave the meeting. If the person refuses to leave, the Mayor/Chairman will adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.

4. After the meeting

- 4.1 Photographs and audio/visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being expressed in a way that may ridicule or show lack of respect towards those being photographed or recorded.
- 4.2 The responsibility for how any reporting is used rests with the person who makes the report and not the Council.
- 4.3 Please note that the law of the land applies, including the law of defamation and the law on public order offences. Freedom of speech within the law should be exercised with personal and social responsibility, showing respect and tolerance towards the views of others.

Background documents

- The Openness of Local Government Bodies Regulations 2014
- Open and accountable local government: a guide for the press and public in attending and reporting meetings of local government - August 2014

Annex 2 - RULES OF DEBATE -

Simplified diagram showing how decisions might be reached.

Item is introduced by the Chairman.

Chairman invites questions (numbers may be limited). Director or representative responds.

