
1. Meetings

- 1.1 Meetings of the Council shall be held at Haling Dene Centre, Cannock Road, Penkridge at 1930 hours unless the Council otherwise decides at a previous meeting and shall terminate at 2200 hours.
- 1.2 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.
- 1.3 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.
- 1.4 The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
- 1.5 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.
- 1.6 The Proper Officer and Chairman may in the case of extreme urgency/emergency vary the date, time and place of meetings subject to reasonable notice of the change and reason having been given.

2. The Statutory Annual Meeting (May Meeting)

- 2.1 In an election year the Statutory Annual Meeting shall be held on or within 14 days following the day on which the councillors elected take office; and
- 2.2 In a year which is not an election year the Statutory Annual Meeting shall be held on such day in May as the Council may direct.
- 2.3 The three other ordinary meetings shall be held on the second Thursday in the months of September, December and March.
- 2.4 Seven additional meetings shall be held on the second Thursday in the months of June, July, October, November, January, February and April.

3. Chairman Of The Meeting

- 3.1 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 3.2 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 their absence be done by, to or before the Vice-Chairman of the Council.
- 3.3 The Chairman of the Council, if present, shall preside at a 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.

4. Proper Officer and Responsible Financial Officer

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Parish Administrator:-

4.1 The Proper Officer shall:

- [a] At least three clear days before a meeting of the council, a committee or a sub-committee,
 - serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and
 - Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
- [b] Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office;
- [c] Facilitate inspection of the minute book by local government electors;
- [d] Receive and retain copies of byelaws made by other local authorities;
- (e) To receive declarations of acceptance of office.
- (f) To receive and record notices disclosing pecuniary interests.
- (g) To receive and retain plans and documents.
- (h) To sign notices or other documents on behalf of the Council.
- (i) To receive copies of the byelaws made by a District Council.
- (j) To certify copies of byelaws made by the Council.
- (k) To sign summonses to attend meetings of the Council.
- (l) To keep proper records for all Council meetings.

In any other case the Proper Officer and the RFO shall be the person nominated by the Council.

5. Quorum for the Statutory Annual Meeting (May meeting) and Full Council

- 5.1 One-third of the total membership shall constitute a quorum, but a motion to suspend standing orders shall not be moved without written notice signed by twice as many members as constitute the quorum.
- 5.2 If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.
- 5.3 For quorum relating to a Committee, please refer to standing order 22.2 (d)

6. Voting

- 6.1 Unless standing orders provide otherwise, voting on a question shall be by a show of hands, or, if at least one member's so request, by a written and signed ballot so as to show whether each Councillor present and voting gave their vote for or against that question.
- 6.2 At the request of 1 member the Parish Administrator shall record the voting by the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving onto the next business.
- 6.3 Subject to (a) and (b) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote.
 - (a) If the person presiding at the statutory annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
 - (b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.
- 6.4 A Councillor or a Non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
- 6.5 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.

7. Order of Business

- 7.1 The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman of the Council.
- 7.2 The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.
- 7.3 The Vice-Chairman of the Council, if there is one, 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.
- 7.4 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.
- 7.5 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.

- 7.6 Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting, the business shall include:

In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for their to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form unless the Council resolves for their to be done at a later date;

- 7.7 After the first business has been completed, the order of the business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

- (a) For a period of no longer than 15 minutes at the commencement of the meeting to receive comments from the general public present at the meeting, concerning relevant items or business of the Council. No person may speak for more than 2 minutes at the discretion of the Chairman.
- (b) To read and consider the minutes, provided that a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
- (c) After consideration to approve the signature of the minutes by the presiding Chairman as a correct record.
- (d) To deal with business expressly required by statute to be done.
- (e) To receive such communications as the presiding Chairman may wish to lay before the Council.
- (f) To answer questions.
- (g) To dispose of business, if any, remaining from the last meeting.
- (h) To receive reports and minutes of committees.
- (i) To receive and consider reports from officers of the Council.
- (j) To authorise the sealing of documents.
- (k) To authorise the signing of orders for payment.
- (l) To consider motions or recommendations in the order in which they have been notified.
- (m) Any other business specified in the summons.
- (n) 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.
- (o) Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;

- 7.8 A motion to vary the order of business on the grounds of urgency

- (a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- (b) Shall be put to the vote without discussion.

8. **Resolution Moved On Notice**

- 8.1 Except as provided by the Standing Orders, no resolutions may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Parish Administrator at least four clear working days before the next meeting of the Council.
- 8.2 The Parish Administrator shall date every notice of motion or recommendation when received by him/her.

- 8.3 The Parish Administrator shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 8.4 If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 8.5 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report, provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 8.6 Councillors are limited to submitting three 'Notices of Motion' per meeting.
- 8.7 Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.
9. **Resolution Moved Without Written Notice**
- 9.1 Resolutions dealing with the following matters may be moved without notice:-
- (a) To appoint a Chairman of the meeting.
 - (b) To correct the minutes.
 - (c) To approve the minutes.
 - (d) To alter the order of business.
 - (e) To proceed to the next business.
 - (f) To close or adjourn the debate.
 - (g) To refer a matter to the committee.
 - (h) To appoint a committee or any members thereof.
 - (i) To adopt a report.
 - (j) To authorise the sealing of documents.
 - (k) To amend a motion.
 - (l) To give leave to withdraw a motion or an amendment.
 - (m) To extend the time limit for speeches.
 - (n) To consider otherwise than in committee a question affecting an employee of the Council.
 - (o) To exclude the press.
 - (p) To exclude the public.
 - (q) To silence or eject from the meeting a member named for misconduct.
 - (r) To invite a member having an interest in the subject matter under debate to remain.
 - (s) To give the consent of the Council where such consent is required by these Standing Orders.
 - (t) To suspend any Standing Order.
 - (u) To adjourn the meeting.
 - (v) To discuss as a result of an item on the Agenda
 - (w) To close a meeting

10. Questions

- 10.1 A member may ask the Chairman any question concerning the business of the Council.
- 10.2 A member with or without notice may ask the Chairman of a committee any question upon the proceedings of the committee then.
- 10.3 Every question shall be put and answered without discussion.
- 10.4 A person to whom a question has been put may decline to answer.

11. Rules of Debate

- 11.1 No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.
- 11.2 A resolution or amendment shall not be discussed unless it has been proposed and seconded and, unless proper notice has already been given, it shall, if required by the Chairman, be produced in writing and handed to him before it is further discussed or put to the meeting.
- 11.3 A member when seconding a resolution or amendment may, if he then declares their/her intention to do so, reserve their/her speech until a later period of the debate.
- 11.4 A member shall direct their/her speech to the question under discussion or to a personal explanation or to a question of order.
- 11.5 No speech shall exceed two minutes, except by consent of the Council.
- 11.6 An amendment shall be either:-
 - (a) To leave out words.
 - (b) To leave out words and insert or add others.
 - (c) To insert or add words.
- 11.7 An amendment shall not have the effect of negating the motion before the Council.
- 11.8 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 11.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 11.10 The mover of a resolution or of an amendment shall have the right of reply.
- 11.11 A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.
- 11.12 A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- 11.13 A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

11.14 When a resolution is under debate no other resolution shall be moved except the following:-

- (a) To amend the resolution.
- (b) To proceed to the next business.
- (c) To adjourn the debate.
- (d) That the question be now put.
- (e) That a member named be not further heard.
- (f) That a member named does leave the meeting.
- (g) That the resolution be referred to a committee.
- (h) To exclude the public or the press or both.
- (i) To adjourn the meeting.

11.15 Any member who wishes to speak must give a clear indication to the Chairman of the meeting before doing so and shall not speak until called upon by the Chairman. A member may stand when speaking.

11.16 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

11.17 Members shall address the Chairman.

11.18 If two or more members indicate that they wish to speak, the Chairman shall call upon one of them to speak and the others shall remain silent.

11.19 Whenever the Chairman rises during a debate all other members shall be seated and silent.

12. **Closure**

12.1 At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do not adjourn". If such a motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive their/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

13. **Disorderly Conduct**

13.1 All members must observe the Code of Conduct, which was originally adopted by the Council on 11th April 2002 and an amended version adopted on the 10th May 2007, 13th September 2012 and subsequently 8th October 2015, a copy of which is annexed to these Standing Orders.

13.2 No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chairman, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

13.3. If, in the opinion of the Chairman, a member has so misconducted himself, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under duty to report the breach to the Monitoring Officer.

13.4 If either of the motions mentioned in 13.3 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce the Code of Conduct.

14. Right of Reply

- 14.1 The mover of a resolution shall have a right of reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

15. Alteration of Resolution

- 15.1 A member may, with the consent of their/her seconder, move amendments to their/her own resolution.

16. Rescission of Previous Resolution

- 16.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special motion, the written notice whereof bears the names of at least four Councillors of the Council OR by a motion moved in pursuance of the report or recommendation of a Committee [there can be NO amendment to a Special Motion].
- 16.2 When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

17. Voting On Appointments

- 17.1 Where more than two persons have been nominated for any position to be filled by the Council, and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

18. Discussions And Resolutions Affecting Employees Of The Council

- 18.1 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) are in Private Session and/or whether the person concerned shall be included or excluded from the discussion.

19. Resolutions On Expenditure

- 19.1 Any motion which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of the committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon.

20. Expenditure

- 20.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by two members and the cheques be signed by 2 members.

21. Sealing Of Documents

- 21.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 21.2 The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign the document as witness.

22. Other Committees

- 22.1 Full delegated spending powers are issued to the Haling Dene Committee and Recreation and Amenities Committee for purchases/projects up to the tender limit, subject to: -
- (a) the Burial Ground to be under the remit of Recreation and Amenities but retain its own budgets. Any Appeal Hearings to be reported to Full Council as is the current practice.
 - (b) the minutes of the meeting are referred to the next Full Council immediately following the committee meeting for 'note' only.
 - (c) if any councillor feels strongly about an item on the agenda/minutes they may contact the Chairman or Vice Chairman of the Council and ask for it to be referred to Full Council. If he/she feels it necessary then the item can be added to the next month's Full Council agenda as a separate item.
 - (d) the Chairman or Vice Chairman retains the right to 'refer in' any item he/she feels may need to be debated by Full Council. Their/her item would then be put as a separate item on the Full Council agenda or
 - (e) if three or more Councillors notify the Parish Administrator in writing that they wish the item to be put as a separate item on the Full Council agenda.
 - (f) if proposed purchases/projects are estimated to cost in excess of the tender limit then the said item would be put as a separate agenda item on the next full council agenda for discussion. See also the Council's Financial Regulations.
- 22.2 The Council may at the Statutory Annual Meeting (May Meeting) appoint standing committees, subject to:-
- (a) Elect a maximum of seven councillors per committee plus the Chairman and Vice Chairman of the Council. Their/she makes a total of nine members per committee.
 - (b) Each councillor can only serve on a maximum of one committee in any one year, with the exception of the Chairman and Vice Chairman of the Council.
 - (c) No councillor can be Chairman or Vice Chairman of more than one committee. Chairman and Vice Chairman of each committee serve for a maximum of four years.
 - (d) Four members present at each meeting will be accepted as a quorum.
- but subject to any statutory provision in that behalf:-
- (a) shall not appoint any member of a committee so as to hold office later than the next annual meeting, and
 - (b) may at any time dissolve or alter the membership of a committee.
- 22.3 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice Chairman who shall hold office until the next Statutory Annual Meeting of the Council.
- 22.4 The Council may appoint or co-opt non-Council members to any Committee, unless it is a committee which regulates and controls the Finances of the Council. Such appointees shall be non-voting members of that Committee.
- 22.5 Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- 22.6 Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- 22.7 The Chairman and Vice Chairman of the Council shall be members of every Committee appointed by it unless they signify that they do not wish to stand.

22.8 The Standing Orders on rules of debate (except those parts relating to standing and speaking more than once) and the Standing Orders on interest of members in contracts and other matters shall apply to Council and Committee meetings insofar as they are appropriate.

23. **Finance and Resources and Human Resources Committee**

23.1 The Finance and Resources Committee shall be made up of the Chairman and Vice Chairman of Council and the Chairman and Vice Chairman of Haling Dene Management and Recreation and Amenities.

23.2 The Finance Committee shall meet from time to time as deemed necessary by the Chairman and Vice Chairman of Council and the Parish Administrator or at other times by resolution of Full Council.

24. **Calling a Special Meeting of Full Council a Committee**

24.1 The Chairman of a Committee or the Chairman of the Council may summon a special meeting of that Committee at any time.

24.2 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.

A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

24.3 Four members present at each Committee meeting will be accepted as a quorum.

24.4 All members of the Finance and Resources Committee must be listed on the Council's Bank Mandate and take responsibility for all Council Financial transactions – sign cheques, approve emergency transactions in conjunction with the Proper Officer.

25. **Voting on Committees**

25.1 Members of Committee shall vote by show of hands (also see 6.1).

25.2 Chairman of Committees shall in the case of an equality of votes have a second or casting vote.

26. **Presence of Non Members Of Committees At Other Committees**

26.1 A member who has proposed a motion, which has been referred to any Committee of which he is not a member, may explain their/her motion to the Committee but shall not vote.

26.2 Any Council member shall, unless the Council otherwise orders, be entitled to be present and speak as a spectator at the meetings of any Committee or Group of which he is not a member.

26.3 A Councillor may only vote at a Committee meeting of which they are a member.

27. Accounts and Financial Statements

- 27.1 Except as provided in 27.2 of their/her Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 27.2 Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorised by the Council, payment shall be authorised by the Committee, if any, having charge of the business to which it relates or by the Chairman or Vice Chairman of the Council.
- 27.3 All payments authorised in 27.2 of their/her Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- 27.4 The Parish Administrator shall supply to each member at the ordinary meeting as soon as practicable after the end of the financial year a statement of accounts.

28. Estimates And Planning for Expenditure in the Next Financial Year

- 28.1 Any Committee desiring to incur expenditure to be precepted shall, not later than the first day of November in each year, give to the Administrator a written estimate of the expenditure recommended in the coming year, and such estimate shall be submitted to the Council at its meeting in the following January.

29. Code Of Conduct And Interests

- 29.1 If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 8th October then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 29.2 If a member who has declared a personal interest and that interest is a Disclosable Pecuniary Interest he must withdraw from the room or chamber during consideration of the item to which the interest relates. Councillors may apply for a dispensation in writing to the Parish Administrator at least five clear days before the date of the meeting. The existence, duration and nature of any dispensation granted will be clearly minuted and included in the Register of Disclosable Interests.
- 29.3 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.
- 29.4 Dispensation requests should be in writing and shall be considered by the Proper Officer before the meeting or, if their/her is not possible, at the start of the meeting for which the dispensation is required.
- 29.5 A dispensation may be granted in accordance with standing order 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 are, a or
 - iii. it is otherwise appropriate to grant a dispensation.

- 29.6 The Parish Administrator shall keep a record of particulars of any notice given by any member or any officer of the Council or a pecuniary interest in a contract, and the record shall be available during reasonable hours of the day for the inspection of any member.
- 29.7 On receipt of a notification that there has been an alleged breach of the Code of Conduct the Parish Administrator shall refer it to the Monitoring Officer at South Staffordshire Council
- 29.8 If a candidate for any appointment under the Council is to their/her knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Parish Administrator. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Parish Administrator shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply. The Parish Administrator shall make known the purport of their/her Standing Order to every candidate.
30. **Canvassing Of and Recommendations Of Members – by Candidates for Appointments**
- 30.1 Canvassing of members or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Parish Administrator shall make known the purport of their/her sub-paragraph of their/her Standing Order to every candidate.
- 30.2 A member of the Council shall not solicit for any person for any appointment under the Council or recommend any person for such appointment or for promotion but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 30.3 The above shall apply to tenders as if the person making the tender were a candidate for an appointment.
31. **Requests for Information**
- 31.1 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.
- 31.2 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 their is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- 31.3 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.
- 31.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
- 31.5 A member may for the purpose of their/her duty as such (but not otherwise) inspect any document in possession of the Council or a Committee, by prior arrangements with the Parish Administrator.

- 31.6 All minutes kept by the Council and by any Committee shall be open for the inspection of any member of the Council.
- 31.7 The minutes of the Council shall be open to inspection by any local government elector of the parish without charge.
- 31.8 Requests for information held by the council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the GDPR 2018.
- 31.9 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Parish Administrator to the Chairman of the Council. Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.
32. **Responsibilities Under Data Protection Legislation**
(Below is not an exclusive list).
- 32.1 The Council may appoint a Data Protection Officer.
- 32.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- 32.3 The Council shall have a written policy in place for responding to and managing a personal data breach.
- 32.4 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.
- 32.5 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.
- 32.6 The Council shall maintain a written record of its processing activities.
33. **Unauthorised Activities**
- 33.1 No member of the Council or of any Committee shall in the name of or on behalf of the Council:-
- (a) Inspect any lands or premises which the Council has a right or duty to inspect, or
 - (b) Unless authorised by a resolution of the Council no individual councillor shall issue orders, instructions or directions, except the Parish Administrator, in consultation with the Chairman or Vice Chairman of the Council and/or the Chairman or Vice Chairman of the relevant committee, be authorised to take any 'urgent or emergency' action when it would be in the best interests of the Council to act prior to a Council or Committee meeting, provided that such action be reported to the next meeting of the Council or appropriate Committee.

34. Admission Of The Public And Press At Meetings

34.1 The public and the press shall be admitted to all meetings of the Council and its Committees, which may, however, temporarily exclude the public or the press or both by means of the following resolution:

"That in view of the (special)(confidential) nature of the business about to be transacted, it is advisable in the public interest that the (press)(public and press)(public) be temporarily excluded and they are instructed to withdraw."

34.2 Subject to standing order 34.3, 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.

34.3 A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

34.4 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.

34.5 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be asked to leave the Council Chamber, or that part of the Chamber open to the public to be cleared.

34.6 The public are permitted to make representations, answer questions, and give evidence in respect of any item

Public Participation

34.7 The period of time which is designated for public participation in accordance with standing order above shall not exceed 15 minutes.

34.8 Each member of the public is entitled to speak once.

34.9 A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

34.10 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 employee for a written or oral response.

34.11 The record of a public participation session at a meeting shall be included in the minutes of that meeting.

34.12 A person shall raise their/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, they should give their name and post code of residency. Any person speaking at a meeting shall address their/her comments to the Chairman.

34.13 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.

35. Confidential Business

- 35.1 No member of the Council or of any Committees shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the Committees as the case may be.
- 35.2 Any member in breach of the provisions of paragraph 33.1 of his/their Standing Order shall be removed from any Committee of the Council by the Council and the matter referred to the Monitoring Officer.

36. Liaison With County And District Councillors

- 36.1 A summons and agenda for each meeting shall be sent, together with an invitation to attend, to County and District Councillors for the appropriate ward.

37. Planning Applications

- 37.1 The Parish Administrator or Officer authorised by the Parish Administrator shall receive notice of Planning applications and allocate the next sequential number and place the application on the next Planning agenda for consideration by Council.

38. Financial Matters

- 38.1 The Council shall consider and approve Financial Regulations drawn up by the Parish Administrator (see 38.6).
- 38.2 Such regulations shall include detailed arrangements for the following:
- a) the accounting records and systems of internal control
 - b) the assessment and management of risks faced by the Council
 - c) the work of the Internal Auditor and receipt of regular reports from the Internal Auditor which shall be required at least annually
 - d) the financial reporting requirements of members and local electors, and
 - e) procurement policies including the setting of values for different procedures where the contract has an estimated value of less than £50,000.
- 38.3 Any proposed contract for the supply of goods and services and the execution of works with an estimated value in excess of £30,000 shall be procured on the basis of a formal tender.
- 38.4 Any formal tender process shall comprise of the following steps:
- a) a public notice of intention to be placed in a local newspaper
 - b) a specification of the goods, materials, services and execution of works shall be drawn up including a request to provide details of Public Liability Insurance
 - c) tenders are to be sent, in a sealed marked envelope, to the Parish Administrator by a stated date and time
 - d) tenders submitted are to be opened, after the stated closing date and time, by the Parish Administrator, the Chairman or Vice Chairman of the Council and the Chairman or Vice Chairman of the appropriate committee.
 - e) tenders are then to be assessed and reported to the next Full meeting of the Council or appropriate committee.
- 38.5 Neither the Council nor any committee is bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference regarding improper activity.
- 38.6 The Financial Regulations of the Council shall be subject to regular review, at least every two years.

39. Code Of Conduct On Complaints

39.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such a manner as adopted by the Council except for those which should be properly directed to the Monitoring Officer at South Staffordshire Council for consideration.

39.2 Where the notification in standing order above relates to a complaint made of the Proper Officer, the Proper Officer shall notify the Chairman of Council of their/her fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take.

The council may:

- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

39.3 Upon notification by the District Council that a councillor or non-councillor with voting rights 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.

40. Suspension, Variation And Revocation Of Standing Orders

40.1 Any part of the Standing Orders except 2.1, 2.3, 3.1, 6.2, 6.3, 7.1, 7.2, 7.3, 7.3, 20.1, 24.2, 29.6, 30, 32.1 may be suspended by resolution in relation to any specific item of business.

40.2 A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

41. Standing Orders To Be Given To Members

41.1 A copy of these Standing Orders shall be given to each member by the Parish Administrator upon delivery to him of the member's Declaration of Acceptance of Office and written undertaking to observe the Code of Conduct adopted by the Council.

Penkridge Parish Council			
Standing Orders Policy			
Version 2022	Created by NALC July 2018 Reviewed by Lesley Hough Parish Clerk & Penkridge Parish Full Council	Ratified 12/05/2022	To be reviewed 11/05/2023

All references to male persons above shall be deemed to also include female persons

The Council's Standing Orders were partially supported by NALC's Model Standing Orders.