



STANDING ORDERS

MAY 2020

PARISH CLERK

Knapton Parish Council | Norfolk

Model Standing Orders

How to use model standing orders

Standing orders are the written rules of a local council. They are used to confirm a council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the policies of a council, but they may refer to them.

A local council must have standing orders for the procurement of contracts.

Meetings of full council, councillors, the Responsible Financial Officer and Proper Officer are subject to many statutory requirements. A council should have standing orders to confirm those statutory requirements. A council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements. If it does not, committees and sub-committees may adopt their own standing orders.

Model standing orders that are in bold type contain statutory requirements. It is recommended that councils adopt them without changing them. Other model standing orders not in bold are designed to help councils operate effectively but do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. For convenience, the word "councillor" is used in model standing orders and includes a non-councillor with or without voting rights unless otherwise stated.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes the term 'OR' provides alternative options for a council to choose from when determining standing orders.


The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the Responsible Financial Officer.



Model financial regulations are available to councils in membership of the National Association of Local Councils (NALC) or One Voice Wales (OVW).

1. Meetings generally

- Colour Code: ● Mandatory for full Council meetings
■ Mandatory for committee meetings
▲ Mandatory for sub-committee meetings

- a) **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost**
- b) **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning**


 c) **The minimum three clear days public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
The minimum three clear days public notice of a meeting does not include the day on which the notice was issued or the day of the meeting


 d) **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons.**
 The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion

e) **Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda**

 f) **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted unless the press and public are excluded from part of a meeting**


 g) **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**


 h) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any)**

 i) **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**

 j) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting**




 k) **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote**
 *See standing orders 2(i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.*

l) **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question**

Such a request shall be made before moving on to the next item of business on the agenda.

m) The minutes of a meeting shall include an accurate record of the following:

- i) the time and place of the meeting
- ii) the names of the councillors present and absent
- iii) interests that have been declared by councillors and non-councillors with voting rights;
- iv) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v) if there was a public participation session; and
- vi) the resolutions made.

-  **n) (England) 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 his right to participate and vote on that matter**
- o) 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**
-  **p) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
 - q) A meeting shall not exceed a period of 3 hours.
 - r) Meetings will, ordinarily, be held in the Village Hall.

2. Ordinary council meetings

- a) In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which 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 7pm.
- d) (England) 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 first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.
- f) The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.
- g) The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.
- h) In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, he shall preside at the 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 must give a casting vote in the case of an equality of votes.
- i) In an election year, if the current Chairman of the Council has been re-elected as a member of the council, he shall preside at the 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 must give a casting vote in the case of an equality of votes.

- j) Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:
 - i) **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - ii) Confirmation of the accuracy of the minutes of the last meeting of the council;
 - iii) Review and adoption of appropriate standing orders and financial regulations;
 - iv) Review of inventory of assets;
 - v) Confirmation of arrangements for insurance cover in respect of all insured risks.

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

- a) The Chairman of the Council may convene an extraordinary meeting of the council at any time.
- b) **If the Chairman of the Council does not or refuses to 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 must be signed by the two councillors.**

4. Previous resolutions

- a) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least three councillors to be given to the Proper Officer.
- b) When a motion moved pursuant to standing order 4(a) above has been disposed of, no similar motion may be moved within a further six months.

5. Voting on appointments

- a) Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

6. Motions at a meeting that do not require written notice

- a) The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i) to correct an inaccuracy in the draft minutes of a meeting;
 - ii) to move to a vote;
 - iii) to defer consideration of a motion;
 - iv) to appoint a person to preside at a meeting;
 - v) to change the order of business on the agenda;
 - vi) to proceed to the next business on the agenda;
 - vii) to require a written report;

- viii) to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- ix) to exclude a councillor or member of the public for disorderly conduct;
- x) to temporarily suspend the meeting;
- xi) to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xii) to adjourn the meeting; or
- xiii) to close a meeting.

7. Handling confidential or sensitive information

- a) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

8. Code of conduct and dispensations

- b) All councillors shall observe the code of conduct adopted by the council.

9. Code of conduct complaints

- a) Upon notification by the District OR County 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, subject to standing order 7 above, report this to the council.
- b) Where the notification in standing order 9(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 9(d) below].
- c) 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;
- d) Upon notification by the District or County 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.

10. Proper Officer

- a) The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer shall:
 - i) **at least three clear days before a meeting of the council, serve on councillors, a summons confirming the time, place and the agenda.**
See standing order 1(b) above for the meaning of clear days for a meeting of a full council.

- ii) **give public notice of the time, place and agenda at least three clear days before a meeting of the council.**
See standing order 1(b) above for the meaning of clear days for a meeting of a full council.
- iii) **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv) **receive and retain copies of byelaws made by other local authorities;**
- v) retain acceptance of office forms from councillors;
- vi) retain a copy of every councillor's register of interests;
- vii) assist with responding to requests made under the Freedom of Information Act 2000 and General Data Protection Regulations 2018, in accordance with and subject to the council's policies and procedures relating to the same;
- viii) receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- ix) manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- x) arrange for legal deeds to be executed;
- xi) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xii) manage access to information about the council via the publication scheme;

11. Relations with the press/media

- a) Responses to the press relating to matters discussed by the Parish Council shall be dealt with, in the first instance, by the Parish Clerk. The Chairman, and in their absence, the vice-chairman, are also authorised to give the views of the Council to the press on any non-confidential subject discussed by the Council.
- b) Whenever possible, any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting.
- c) At no time shall the personal views of either members or officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.

12. Execution and sealing of legal deeds

- a) A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b) Subject to standing order 12(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.**

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Accepted

These Standing Orders were agreed and adopted by full council on 2nd June 2020

These Standing Orders will be reviewed by full council on 4th May 2021
(unless the law or the council's activities requires that this be done sooner)