

# Cliffsend Parish Council

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January 2023



## Standing Orders

Contents	Page
01. Meetings	2
02. Ordinary Council Meetings	3
03. Proper Officer	4
04. Motions Requiring Written Notice	5
05. Motions Not Requiring Written Notice	6
06. Rules of Debate	6
07. Questions	8
08. Allegations of Breaches of the Code of Conduct	8
09. Minutes	9
10. Disorderly Conduct	9
11. Rescission of Previous Resolutions	10
12. Voting on Appointments	10
13. Expenditure	10
14. Accounts and Financial Statements	10
15. Estimates/Precept	10
16. Execution and Sealing of Legal Documents	10
17. Committees	11
18. Working Parties	11
19. Extra-ordinary Meetings	11
20. Advisory Committees	11
21. Canvassing & Recommendations by Councillors	12
22. Inspection of Documents	12
23. Unauthorised Activities	12
24. Confidential Business	12
25. Matters Affecting Council Employees	12
26. Freedom of Information Act 2000	13
27. Relations with Press/Media	13
28. Liaison with District and County or Unitary Councils	13
29. Variation, Revocation & Suspension of Standing Orders	13
30. Standing Orders given to Councillors	14
31. Power of Well-being	14
32. Requirements for General Data Protection Regulations	14

## **01. Meetings**

01.01 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.

01.02 Meetings of the Council shall, unless a previous meeting resolved otherwise, commence at 7.30pm and finish at 9.00pm. Agenda items lost through lack of available time will not be abandoned but held over to the next available meeting.

01.03 Smoking is not permitted during Council Meetings.

01.04 Notice of a meeting to Councillors and the public will be displayed on noticeboards and (if the Council has one) its website. When calculating the 3 clear working days' notice of a meeting, the following will be excluded – the day on which notice was issued, the day of the meeting, a Saturday, a Sunday, a day declared as a bank holiday or a day appointed for public thanksgiving or mourning.

By way of example, for a meeting scheduled for a Thursday evening, the agenda must be published not later than the previous Friday. Above exclusions will require earlier publication.

01.05 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.

Public exclusion from part or all of a meeting shall be by a resolution which shall give reasons for such exclusion. See SO 05.01.020 below.

01.06 By resolution of a meeting and subject to SO 01.05 above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

01.07 The period of time permitted for public participation in SO 01.06 will normally be no more than 15 minutes in total, with no one individual occupying more than 3 minutes. The Chairman may exercise discretion in these timings. Alternatively, a motion to extend public speaking can be moved per SO 05.01.019 below.

A separate procedural paper *Public Questions* forms part of these Standing Orders. The paper expands how and when questions can be submitted and appropriate responses. No decisions can be rendered unless the appropriate notice has been given; see SO 01.04 above.

01.08 A record of a public participation session at a meeting shall be included in the minutes of that meeting. Members of the public will be referred to as “a resident” unless they have explicitly given permission to be named.

01.09 A person requesting to speak should raise a hand to attract the Chairman's attention and stand when speaking. However, the Chairman may permit an individual to be seated when speaking.

01.10 Any person speaking at a meeting shall address comments to the Chairman.

01.11 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.

01.12 An audio recording of meetings will be taken by the Clerk and retained until the draft Minutes are subsequently adopted into the Council records.

01.13 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted with the Council's knowledge by the press and public.

- 01.14 In accordance with SO 01.05 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.
- 01.15 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may (in the Chairman's absence) be done by, to or before the Vice-Chairman.
- 01.16 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, Councillors present at the meeting shall choose one of their number to preside at the meeting.
- 01.17 All questions at a meeting shall be decided by a simple majority, each Councillor present having one vote unless, by virtue of a declared interest, they are excluded. Councillors must be present in order to vote.
- 01.18 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 a casting vote whether or not he gave an original vote.
- 01.19 Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. The Clerk will record whether a resolution succeeded or failed. Prior to moving onto the next business item, a Councillor may request that the voting on any question shall be recorded as votes for, against and abstentions.
- 01.20 The minutes of a meeting shall record the names of Councillors present and those absent. Apologies for absence will be noted. The Clerk will also record the presence, or not, of other Councillors and Officers invited to the meeting. The number of members of the public will be recorded.
- 01.21 The *Code of Conduct* is a separate document adopted by the council and forms part of these Standing Orders. *The Code* shall apply to Councillors in respect of the entire meeting.
- 01.22 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.
- 01.23 No business may be transacted at a meeting unless at least one third of the whole number of members (rounded up to a whole number) of the Council are present and in no case shall the quorum of a meeting be less than 3 or 2 for Working Group meetings.
- 01.24 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.
- 01.25 Ordinary Council meetings are scheduled for the 3<sup>rd</sup> Tuesday of January, March, May, July, September and November. Future dates will normally be published at the Annual Meeting of the Council; see SO 02.10.006 below. Council can collectively agree to change the meeting date in any month where it will suit Council members, provided a meeting notice period of 7 days can be given.
- 01.26 In the absence of physical meetings due to Covid-19 restrictions, meetings will be conducted via Zoom.

## **02. Ordinary Council Meetings**

- 02.01 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.
- 02.02 In a year which is not an election year, the Annual Meeting of the Council (AMC) shall be held on such day in May as the Council may direct.
- 02.03 The Annual Meeting of the Council shall take place at 7.30pm.

02.04 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.

02.05 The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the Annual Meeting of the Council. When more than one person stands for election voting will be by secret ballot, counted by The Clerk. The person with the lowest number of votes will be eliminated and the vote taken again with the remaining candidates until an outright winner emerges. See also SO 12.01 below.

02.06 The Chairman of the Council, bar resignation or disqualification, shall continue in office and preside at the Annual Meeting of the Council until a successor is elected at the next Annual Meeting of the Council.

02.07 The Vice-Chairman of the Council, bar resignation or disqualification, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.

02.08 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.

02.09 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.

02.10 Following the election of the Chairman of the Council and Vice-Chairman of the Council at the Annual Meeting of the Council, the order of business shall be as follows: -

- .001 In an election year, delivery by Councillors of their declarations of acceptance of office.
- .002 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.
- .003 Receipt of nominations to existing Committees.
- .004 Appointment of any new Committees, confirmation of the terms of reference, the number of members and receipt of nominations to them.
- .005 Receipt of nominations to represent Cliffsend Parish Council on, or work with, external bodies.
- .006 Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
- .007 Any normal business of Council that needs to be dealt with before the next full meeting.

### **03. Proper Officer**

03.01 The Council's Proper Officer shall be The Clerk or such other person appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the person appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

03.02 The Council's Proper Officer shall do the following: -

- .001 Sign and serve on Councillors by delivery, post or email 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 at least 3 clear working days before the meeting. (See SO 01.04).
- .002 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 (provided that the public notice with

- agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).
- .003 Subject to '04. Motions Requiring Written Notice' below, include in the agenda all motions received and, upon consultation with the Chairman, determine an order of precedence. Motions which fail to be considered due to lack of time, to be carried forward to a subsequent Council meeting.
  - .004 Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in the office, in accordance with SO 03.02.002 above.
  - .005 Make available for inspection the minutes of meetings.
  - .006 Receive and retain copies of bye-laws made by other local authorities.
  - .007 Receive from Councillors and retain (a) Declarations of Acceptance of Office and (b) confirmation of contact details and whether these can be openly published.
  - .008 Retain a copy of every Councillor's Register of Interests and any subsequent changes. Copies of same to be made available for inspection.
  - .009 Clerk to obtain Declaration of Pecuniary Interest (DPI) from each Councillor and remind them, every 6 months, that declarations must be up to date and relevant. DPIs to be published via a link to the declaration uploaded to TDC's website.
  - .010 Keep proper records required before and after meetings.
  - .011 Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 2018, in accordance with and subject to the Council's procedures relating to the same.
  - .012 Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - .013 Manage the organisation, storage of, and access to information held by the Council in paper and electronic form.
  - .014 Arrange for legal deeds to be signed by 2 Councillors and witnessed as required by law.
  - .015 Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's separate *Financial Regulations*.
  - .016 Record every planning application notified to the Council and the Council's response, if one was made, to the local planning authority in an appropriate place for such purpose.
  - .017 Advise all Councillors of a planning application received and assist the Planning Working Group to facilitate any meeting requested by them, and response to the local planning authority.
  - .018 Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

#### **04. Motions Requiring Written Notice**

04.01 In accordance with SO 03.02.003 above, no motion may be moved at a meeting unless it is included in the agenda.

04.02 The Proper Officer may, before including a motion in the agenda, correct obvious factual, grammatical or typographical errors and advise the mover of such desired revision.

04.03 If the Proper Officer considers a motion received in accordance with SO 04.01 above is unclear in meaning, the motion shall be rejected. The motion should be resubmitted in writing to the Proper Officer in clear and certain language.

04.04 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.

04.05 Having consulted the Chairman or Councillors, pursuant to standing order 04.04 above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

04.06 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.

## **05. Motions Not Requiring Written Notice**

05.01 Motions in respect of the following matters may be moved without written notice.

- .001 To appoint a person to preside at a meeting.
- .002 To approve the absences of Councillors.
- .003 To approve the accuracy of the minutes of the previous meeting.
- .004 To correct an inaccuracy in the minutes of the previous meeting.
- .005 To dispose of business, if any, remaining from the last meeting.
- .006 To alter the order of business on the agenda for reasons of urgency or expedience.
- .007 To proceed to the next business on the agenda.
- .008 To close or adjourn debate.
- .009 To refer by formal delegation a matter to a Committee, Sub-committee, Working Group or an employee.
- .010 To appoint a Committee or Working Group or any Councillors thereto.
- .011 To receive nominations to a Committee or Working Group.
- .012 To dissolve a Committee or Working Group.
- .013 To note the minutes of a meeting of a Committee or Working Group.
- .014 To consider a report and/or recommendations made by a Committee, Working Group or an employee.
- .015 To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- .016 To authorise legal deeds to be signed by two Councillors and witnessed as required by law.
- .017 To authorise the payment of monies.
- .018 To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of cancelling it.
- .019 To extend the time limit for speeches by the public.
- .020 To exclude the press and public for all or part of a meeting.
- .021 To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- .022 To give the consent of the Council if such consent is required by Standing Orders.
- .023 To suspend any Standing Order except those which are mandatory by law.
- .024 To adjourn the meeting.
- .025 To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities to the Council.
- .026 To answer questions from Councillors.

05.02 If a motion falls within the terms of reference of a Committee or within the delegated powers conferred on an employee, a referral of the same may be made to such 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.

## **06. Rules of Debate**

06.01 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.

06.02 Subject to Standing Orders '04. Motions Requiring Written Notice' above, a motion shall not be considered unless it has been proposed and seconded.

06.03 Subject to SO 03.02.003 above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.

06.04 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.

06.05 A Councillor may move amendments to one's own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

06.06 Any amendment to a motion shall be either: (a) to leave out words; (b) to add words; (c) to leave out words and add other words.

06.07 A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

06.08 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.

06.09 Subject to 06.08 above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

06.10 Pursuant to 06.08 above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.

06.11 If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

06.12 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.

06.13 The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.

06.14 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.

06.15 Subject to SO 06.13 and 06.14 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.

06.16 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.

06.17 A point of order shall be decided by the Chairman whose decision shall be final.

06.18 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.

06.19 Subject to SO 06.15 above, when a Councillor's motion is under debate no other motion shall be moved except: -

- .001 To amend the motion.
- .002 To proceed to the next business
- .003 To adjourn the debate.

- .004 To put the motion to a vote.
- .005 To ask a person to be silent or to leave the meeting.
- .006 To refer a motion to a Committee or Working Group for consideration.
- .007 To exclude the public and press.
- .008 To adjourn the meeting.
- .009 To suspend any Standing Order, except those which are mandatory.

06.20 In respect of SO 06.19.004 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 the 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.

## **07. Questions**

07.01 A Councillor may seek an answer to a question concerning any business of the Council provided 5 clear days' notice of the question has been given to the Proper Officer.

07.02 Questions not related to items of business on the agenda for a meeting shall only be asked if part of a meeting has been set aside for such questions, or should be put to the next meeting.

07.03 Every question shall be put and answered without discussion.

## **08. Allegations of Breaches of the Code of Conduct**

08.01 On receipt of a notification that there has been an alleged breach of the Code, the Proper Officer shall refer it to the Chairman or (if the subject of the allegation) the Vice-Chairman.

08.02 Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council or (if the subject of the allegation) the Vice-Chairman. Upon receipt of such notification, the Vice-Chairman 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.

08.03 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.

08.04 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 or Vice-Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

- .001 Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
- .002 Ensure that any background papers containing the information set out in SO 08.01 above are not made public.
- .003 Ensure that the public and press are excluded from meetings as appropriate.
- .004 Ensure that the minutes of meetings preserve confidentiality.
- .005 Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

08.05 SO 08.04 above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman or Vice-Chairman) 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.



08.06 The Chairman or Vice-Chairman shall have the power to: -

- .001 Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
- .002 Seek and share information relevant to the complaint.
- .003 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.

08.07 References to a 'notification' above 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.

## **09. Minutes**

09.01 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.

09.02 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 SO 05.01.

09.03 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.

09.04 If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, the minutes shall be signed 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 Parish Council held on [date] in respect of [minute reference] were a correct record but the view was not upheld by the majority of the Parish Council and the minutes are confirmed as an accurate record of the proceedings."

09.05 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.

09.06 To help prevent a situation as in SO 09.04 above occurring, the Clerk will, within 14 working days of a full Council or Committee meeting, provide to members a draft copy of the minutes of that meeting. Each member will be invited to make representation as to their accuracy to the Clerk. The Clerk can decide whether to accept any representations made and change the draft minutes or leave the matter to the next meeting.

## **10. Disorderly Conduct**

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

10.02 If, in the opinion of the Chairman, there has been a breach of 10.01 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.

10.03 If a resolution made in accordance with 10.02 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**

11.01 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 three Councillors of the Council or by a motion moved in pursuance of the report or recommendation of a Committee.

11.02 When a special motion or any other motion moved pursuant to 11.01 above has been disposed of, no similar motion may be moved within a further 6 months.

## **12. Voting on Appointments**

12.01 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.

## **13. Expenditure**

13.01 Any expenditure incurred by the Council shall be in accordance with the Council's *Financial Regulations*.

13.02 The Council's *Financial Regulations* shall be reviewed at least once a year.

13.03 The Council's *Financial Regulations* may make provision for the authorisation of the payment of money in the exercise of any of the Council's functions to be delegated to a Committee, Sub-committee or to an employee.

## **14. Accounts and Financial Statement**

14.01 All payments by the Council shall be authorised, approved and paid in accordance with the Council's *Financial Regulations*.

14.02 The Responsible Financial Officer (RFO) shall supply to each Councillor every 3 months, as soon as practicable, a statement summarising the Council's quarter and YTD receipts and payments versus budget and the balances held at the end of a quarter. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of May. The Statement of Accounts of the Council (which is subject to audit), including the annual governance statement, shall be presented to Council for formal approval at the June meeting.

## **15. Estimates/Precepts**

15.01 The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

15.02 Any Committee or Working Party desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than end of October.

## **16. Execution and Sealing of Legal Deeds**

16.01 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution and in accordance with that resolution any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **17. Committees**

17.01 The Council may, at its Annual Meeting, appoint representatives to Standing Working Parties/Committees and may at any other time appoint such other Working Parties/Committees as may be necessary, and: -

- .001 Shall determine their terms of reference.
- .002 May permit Working Parties/Committees to determine the dates of their meetings.
- .003 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.
- .004 May in accordance with Standing Orders, dissolve a Committee at any time.
- .005 An ordinary member of a Working Party/Committee who has been replaced at a meeting by a substitute member (in accordance with SO 17.01.003 above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.

## **18. Working Parties/Groups**

18.01 Unless there is a Council resolution to the contrary, every Committee may appoint a Working Party whose terms of reference and members shall be determined by resolution of the Committee. The Working Party will report to the main Committee and not directly to full Council.

18.02 The main Committee may dissolve any of its Working Parties at any time by passing a resolution to that effect.

18.03 If no Committees or Sub-committees have been created, the Council may resolve to establish Working Groups consisting of Councillors and non-Councillors. Working Groups will report to the full Council to which it may make recommendations but not implement decisions on its behalf.

## **19. Extraordinary Meetings**

19.01 Chairman of the Council may convene an extraordinary meeting of the Council at any time.

19.02 If the Chairman 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 2 Councillors, those 2 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 2 Councillors.

19.03 The Chairman of a Committee may convene an extraordinary meeting of that Committee or any of its Sub-committee's at any time.

19.04 If the Chairman of a Committee does not, or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 Councillors, those 2 Councillors may convene an extraordinary meeting of a Committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the 2 Councillors.

## **20. Advisory Committees**

20.01 The Council may appoint advisory Committees comprised of a number of Councillors and non-Councillors.

20.02 Advisory Committees and any Working Parties may consist wholly of persons who are non-Councillors.

## **21. Canvassing of and Recommendations by Councillors**

21.01 Canvassing Councillors or the members of a Committee or Sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this Standing Order to every candidate.

21.02 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.

21.03 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22. Inspection of Documents**

22.01 Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of official duties (but not otherwise), inspect any document in the possession of the Council or a Committee, Sub-committee, or Working Group and request a copy for the same purpose. The minutes of meetings of the Council, its Committees or Working Parties shall be available for inspection by Councillors.

## **23. Unauthorised Activities**

23.01 Unless authorised by a resolution, no individual Councillor shall in the name of or on behalf of the Council, a Committee or a Sub-committee: -

- .001 Inspect any land and/or premises which the Council has a right or duty to inspect; or
- .002 issue orders, instructions or directions.

## **24. Confidential Business**

24.01 Councillors shall not disclose information given in confidence or which they believe, or ought to be aware, is of a confidential nature.

24.02 A Councillor in breach of the provisions of SO 24.01 above may be removed from a Committee, Sub-committee or Working Group by a resolution of the Council.

## **25. Matters Affecting Council Employees**

25.01 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the Committee or the Sub-committee has resolved to exclude the press and public from the meeting.

25.02 Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of the Council, else the Vice-Chairman of the Council, of any absence occasioned by illness or urgency and that person shall report such absence to the Council at the next meeting.

25.03 The Chairman, else the Vice-Chairman, shall conduct an annual review of the performance and appraisal of the Clerk and shall keep a written record of it.

25.04 Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman, else the Vice-Chairman, in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed in accordance with the adopted grievance procedure.

25.05 Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by any employee relates to the Chairman or Vice-Chairman this shall be communicated to another member of Council which shall be reported back and progressed in accordance with the adopted grievance procedure.

25.06 The Clerk is responsible for all management of Council employees and shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

25.07 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.

25.08 Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

25.09 Only persons with line management responsibilities shall have access to employee records.

25.10 Access and means of access by keys and/or computer passwords to records of employment above shall be provided only to the Clerk and the Chairman of the Council.

## **26. Freedom of Information Act 2000**

26.01 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.

26.02 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman, else the Vice-Chairman of the Council. The Chairman or Vice-Chairman 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 set out under Cliffsend Parish Council policy.

## **27. Relations with the Press/Media**

27.01 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 *Communications Policy* in respect of dealing with the press and/or other media.

27.02 In accordance with the Council's *Communications Policy* in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **28. Liaison with District and County or Unitary Councils**

28.01 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County Council representing its electoral ward.

## **29. Variation, Revocation and Suspension of Standing Orders**

29.01 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.

29.02 A motion to permanently add to or to vary or to revoke one or more of the Council's Standing Orders not mandatory by law shall not be carried unless two-thirds of the Councillors (rounded up to the nearest whole number) at a meeting of the Council vote in favour of the same.

### **30. Standing Orders to be given to Councillors**

30.01 The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of the Declaration of Acceptance of Office.

30.02 The Chairman's decision as to the application of Standing Orders at meetings shall be final.

30.03 A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in said Councillor being excluded from the meeting in accordance with Standing Orders.

### **31. Power of Well-being**

31.01 Before exercising the power to promote well-being, 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.

31.02 The Council's period of eligibility begins on the date that the resolution understanding SO 31.01 above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.

31.03 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 promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in SO 31.02 above.

### **32. Requirements for General Data Protection Regulations**

32.01 The General Data Protection Regulations (GDPR) require Councillors to protect Council information such that the GDPR rules are observed.

32.02 Each Councillor shall sign a document to be retained by the Proper Officer, confirming that they will observe the GDPR requirements which the Parish Council has to observe.

32.03 Councillors should comply with the GDPR with regard to security of mobile phones by use of numeric passwords and/or biometric security, if provided. Biometric security requires the use of either a fingerprint scanner or retinal scan technology to allow access to the mobile phone.

32.04 Councillors are reminded that the official guidance is that they should **NOT** use personal email accounts for Parish Council business. All Councillors should use a separate email account specifically for Council business.

32.05 In accordance with the GDPR, when a Parish Councillor leaves the Parish Council they should deactivate and delete entirely the records and copies of the email account they have been using for Council Business. The Councillor should confirm to the Clerk that the email account they had been using for Council Business has been deactivated and deleted.

32.06 Councillors who use laptops or tablet devices for Council business must ensure that their devices are protected by a suitable password or PIN, as appropriate.

32.07 When Councillors use laptops or tablet devices for Council business, they should protect the documents and data related to Council activity on that device by the use of encryption, to deter unauthorised access.

32.08 Any memory sticks or external devices which are used to store information relating to Council activities shall also be protected from unauthorised access by encryption or similar method of security.