



# **STANDING ORDERS**

**Adopted by the Council on 20 February 2019**

**(Amended 29 June 2022. Most recently amended 20 March 2024.)**

**Adapted from the National Association of Local Councils (NALC) model, issued by One Voice Wales in June 2018.**

<b>INTRODUCTION .....</b>	<b>3</b>
<b>1. RULES OF DEBATE AT MEETINGS .....</b>	<b>4</b>
<b>2. DISORDERLY CONDUCT AT MEETINGS .....</b>	<b>4</b>
<b>3. MEETINGS GENERALLY .....</b>	<b>5</b>
<b>4. COMMITTEES AND SUB-COMMITTEES .....</b>	<b>6</b>
<b>5. ORDINARY COUNCIL MEETINGS .....</b>	<b>7</b>
<b>6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES .....</b>	<b>8</b>
<b>7. PREVIOUS RESOLUTIONS.....</b>	<b>8</b>
<b>8. VOTING ON APPOINTMENTS.....</b>	<b>8</b>
<b>9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER.....</b>	<b>8</b>
<b>10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE .....</b>	<b>9</b>
<b>11. MANAGEMENT OF INFORMATION .....</b>	<b>10</b>
<b>12. DRAFT MINUTES .....</b>	<b>10</b>
<b>13. CODE OF CONDUCT AND DISPENSATIONS .....</b>	<b>11</b>
<b>14. CODE OF CONDUCT COMPLAINTS.....</b>	<b>11</b>
<b>15. PROPER OFFICER .....</b>	<b>11</b>
<b>16. RESPONSIBLE FINANCIAL OFFICER .....</b>	<b>12</b>
<b>17. ACCOUNTS AND ACCOUNTING STATEMENTS .....</b>	<b>12</b>
<b>18. FINANCIAL CONTROLS AND PROCUREMENT .....</b>	<b>12</b>
<b>19. HANDLING STAFF MATTERS .....</b>	<b>13</b>
<b>20. RESPONSIBILITIES TO PROVIDE INFORMATION .....</b>	<b>13</b>
<b>21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION.....</b>	<b>13</b>
<b>22. RELATIONS WITH THE PRESS/MEDIA .....</b>	<b>13</b>
<b>23. EXECUTION AND SEALING OF LEGAL DEEDS.....</b>	<b>14</b>
<b>24. RESTRICTIONS ON COUNCILLOR ACTIVITIES .....</b>	<b>14</b>
<b>25. STANDING ORDERS GENERALLY.....</b>	<b>14</b>

## **INTRODUCTION**

These standing orders are adapted from the National Association of Local Councils (NALC) model standing orders 2018. This publication contains new standing orders which reference new legislation introduced after 2013, when the last model standing orders were published by NALC.

## **WHAT ARE STANDING ORDERS AND HOW TO USE THEM**

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC's model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply, whether or not they are incorporated in a council's 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 council's Responsible Financial Officer. Model financial regulations are available to councils in membership of One Voice Wales (OVW).

## **DRAFTING NOTES**

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

## 1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- d An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- e If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- f If there is more than one amendment, the amendments should be discussed and voted on separately in the order directed by the Chair of the meeting. Amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment must be voted on separately.
- g The mover of an amendment has no right of reply once a decision has been made.
- h Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another councillor;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- i During the debate on a motion, members should allow others to finish their points, and interruptions are not allowed. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- j A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- k When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting; or
  - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
- t The Chair of the meeting will put the motion to a vote, clearly explaining what the motion being voted on is. The Chair's decision is final.
- u Excluding motions moved under standing order 1(l), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the Chair of the meeting.

## 2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or be

excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.  
c If a resolution made under standing order 2(b) is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting without a vote.

### 3. MEETINGS GENERALLY

Full Council meetings @  
Committee meetings #  
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.**
- @ 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 who live in, work in or represent an organisation in the local area (in normal circumstances, with discretion for the Chair to permit questions from people living or working outside the local area in exceptional circumstances) are permitted to ask questions in line with the Council's public questions policy at meetings of the Council.
- f Members of the public may also be permitted at the discretion of the Chair to answer questions and give evidence in respect of any item of business included in the agenda at meetings of the Council.
- g The period of time designated for public questions at a meeting in accordance with standing order 3(e) shall not exceed fifteen minutes in total. The Chair shall have discretion, with the agreement of the Council, to extend this time limit in exceptional circumstances.
- h Subject to standing order 3(f), each member of the public is entitled to speak only in respect of business itemised on the agenda and shall not speak for more than five minutes.
- i In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given. The public questions policy makes provision for supplementary questions.
- j A person shall raise their hand when requesting to speak.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- @ l **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- #
- @ m **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.**
- #
- @ n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- @ o **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one), if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the**

councillors present at the meeting shall preside at the meeting.

@ p Subject to a meeting being quorate, all questions at a meeting shall be decided by a  
# majority of the councillors and non-councillors with voting rights present and voting.  
&

@ q The Chair 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 their casting vote whether or not they gave an  
& original vote.

*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

@ r Unless standing orders provide otherwise, voting on a question shall be by a show of  
r 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 their vote for or against that  
question. Such a request shall be made before moving on to the next item of business on the  
agenda.

s 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 councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

@ t A councillor or a non-councillor with voting rights who has a personal or prejudicial  
# interest in a matter being considered at a meeting which limits or restricts their right to  
& participate in a discussion or vote on that matter is subject to obligations in the code of  
conduct adopted by the Council.

@ u No business may be transacted at a meeting unless at least one-third of the whole number  
u of members of the Council are present and in no case shall the quorum of a meeting be  
less than three.

*See standing order 4(d)(viii) for the quorum of a committee or sub-committee meeting.*

@ v 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.  
&

w A meeting shall not exceed a period of two hours.

#### 4. COMMITTEES AND SUB-COMMITTEES

a Unless the Council determines otherwise, a committee may appoint a sub-committee whose  
terms of reference and members shall be determined by the committee.

b The members of a committee may include non-councillors unless it is a committee which  
regulates and controls the finances of the Council.

c Unless the Council determines otherwise, all the members of an advisory committee and a  
sub-committee of the advisory committee may be non-councillors.

d The Council may appoint standing committees or other committees as may be necessary, and:

- i. shall determine their terms of reference, including any delegation of Full Council powers;
- ii. shall permit a committee to determine the number and time of its meetings;
- iii. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
- iv. shall, after it has appointed the members of a standing committee, allow all Committees other than the HR committee and the Finance Committee to appoint their own Chairs, even if the Chair of Council is a member of that committee.

- v. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
- vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- vii. may dissolve a committee or a sub-committee.

## 5. 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 councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
  - i. **In an election year, delivery by the Chair 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 Chair of the Council of their 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 of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - iv. Review of the terms of reference for committees;
  - v. Appointment of members to existing committees;
  - vi. Appointment of any new committees in accordance with standing order 4;
  - vii. Review and adoption of appropriate standing orders and financial regulations;
  - viii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
  - ix. Review of representation on or work with external bodies and arrangements for reporting back;
  - x. Confirmation of arrangements for insurance cover in respect of all insurable risks;
  - xi. Review of the Council's complaints procedure;
  - xii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);

- xiii. Review of the Council's policy for dealing with the press/media;
- xiv. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the power of well-being.
- xv. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

**6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not 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.**
- c The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the Chair of a committee or a sub-committee does not call an extraordinary meeting within ten days of having been requested to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or the sub-committee.

**7. 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 six councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) has been disposed of, no similar motion may be moved for a further six months.

**8. 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 Chair of the meeting.

**9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least six clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting. (Please note Section 10).
- c The Proper Officer may, before including a motion on the agenda, received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion re-submits it, so that it can be understood, in writing, to the Proper Officer at least six clear working days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer shall



consult with the Chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

#### 10. 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 make an amendment to a motion on the agenda;
  - v. to refer a motion to a particular committee or sub-committee;
  - vi. to appoint a person to preside at a meeting;
  - vii. to change the order of business on the agenda;
  - viii. to proceed to the next business on the agenda;
  - ix. to require a written report;
  - x. to appoint a committee or sub-committee and their members;
  - xi. to extend the time limits for speaking;
  - xii. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
  - xiii. to not hear further from a councillor or a member of the public;
  - xiv. to exclude a councillor or member of the public for disorderly conduct;
  - xv. to temporarily suspend the meeting;
  - xvi. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
  - xvii. to adjourn the meeting; or
  - xviii. to close the meeting.

#### 11. BUDGET-SETTING MEETING

The following shall be Standing Orders for the annual budget-setting meeting and shall take precedence over any conflicting Standing Orders for that meeting only.

- a Unless in exceptional circumstances, which shall be specified in the minutes, no budget line (or any motion or amendment to a motion to include a new budget line) shall be included in the Full Council budget unless it has been presented to, and scrutinised by, the Finance Committee. The Chair's decision shall be final. *(Combined previous sections A and C)*

*'Exceptional circumstances' shall normally include only emergencies, unforeseen circumstances that have arisen since the Finance Committee budget scrutiny process was concluded, or a budget line that is deemed to be unlawful or to be required by Regulations, statute or law.*

*The budget will be considered to be a constituent part of a substantive motion to be considered at the Full Council budget-setting meeting and Standing Orders 9e and 9f will apply.*

- b Written notice of the Full Council budget-setting meeting; written copies of the proposed budget; any Finance Committee budget report(s) and recommendations; and a draft agenda shall be received by Members by a date prior to that meeting that reasonably enables Members to give written notice of motions, and/or amendments to motions, to the Proper Officer at least six clear working days before the meeting.
- c Unless in exceptional circumstances, which shall be specified in the minutes, the Chair shall not accept any motion, or amendment to a motion, during the Full Council budget-setting meeting that

could reasonably have been submitted in writing to the Proper Officer at least six clear working days before the meeting. The Chair's decision shall be final.

- d If a Member or officer of the Council believes that a proposed budget line may be unlawful, or that a budget line required by Regulations, statute, law or official guidelines has been omitted from the proposed budget, they shall inform the Responsible Financial Officer at the earliest opportunity and, in any case, at least six clear working days before the Full Council budget-setting meeting.

## 12. CO-OPTIONS

From the end of the current council term, May 2027, a person who served as a Member of the Full Council during a council term shall not be co-opted as a Member of the Full Council during the following council term.

## 13. MANAGEMENT OF INFORMATION

*See also standing order 22.*

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

## 14. DRAFT MINUTES

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and the confirmed minutes shall be signed by the Chair of the meeting as soon as possible, but no later than the date of the next meeting. These minutes stand as an accurate record of the meeting to which the minutes relate.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:  
"The Chair of this meeting does not believe that the minutes of the meeting of the (X) held on [date] in respect of (Y) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."
- e Subject to standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
- f If no Proper Officer is in attendance, the meeting should decide who will create a draft set of minutes.

15. **CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 3(s).*

- a **Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.**
- b All councillors and non-councillors with voting rights shall undertake training in the code of conduct within six months of the delivery of their acceptance of office form.
- c **Dispensation requests shall be in writing and submitted to the standards committee of the County Borough Council** as soon as possible before the meeting that the dispensation is required for.

16. **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the County Borough 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 11, report this to the Council.
- b Where the notification in standing order 16(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined.
- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
  - iii. indemnify the councillor or non-councillor with voting rights in respect of their related legal costs and any such indemnity is subject to approval by a meeting of the Council.

17. **PROPER OFFICER**

- a The Proper Officer shall be either (i) the Clerk or (ii) the Deputy Clerks who shall undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall, in accordance with Schedule 12 of the Local Government Act 1972:
  - i. **at least three clear days before a meeting of the council, a committee or a sub-committee:**
    - **electronically publish any documents relating to the business to be transacted at the meeting (in so far as reasonably practicable)**
    - **electronically send a summons specifying the business proposed to be transacted at the meeting, details of the time and place of the meeting and how to access it and whether it is open to the public, to every member of the council;**
    - **if given written notice, send the meeting summons to an address specified in the notice rather than electronically, whether by post or delivery;**
    - **in a conspicuous place, publish 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) and publish electronically notice of the time and place and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.**  
*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*
  - ii. subject to standing order 9, include on the agenda all motions received unless a councillor has given written notice at least five clear working days before the meeting confirming their withdrawal of it;
  - iii. **convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;**
  - iv. **facilitate inspection of the minute book by local government electors and members of**

**the public;**

v. **receive and retain copies of byelaws made by other local authorities;**

- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of freedom of information and data protection legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;  
*See also standing order 25;*
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority;
- xiv. refer a planning application received by the Council to all members of the Planning and Environment Committee as soon as possible after receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council or the Planning and Environment Committee, or if a member, with planning reasons, requests a meeting of the Planning and Environment Committee to consider the application; and
- xv. manage access to information about the Council via the publication scheme.

**18. RESPONSIBLE FINANCIAL OFFICER**

- a The Deputy Clerks will undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

**19. ACCOUNTS AND ACCOUNTING STATEMENTS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils in Wales – A Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each monthly meeting bank reconciliations, as duly authorised by members of the Finance Committee, for the previous month's accounts.
- d The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June. If there is any delay this needs to be approved by Full Council.

**20. FINANCIAL CONTROLS AND PROCUREMENT**

The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include all financial arrangement and procedures.

21. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of Council or the Human Resources Committee or any other committee or sub-committee is subject to standing order 13.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Chair of the Human Resources Committee or, if he is not available, the vice-Chair (if there is one) of the Human Resources Committee of absence occasioned by illness or other reason.
- c The Chair of the Human Resources Committee or in their absence, the vice-Chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Human Resources Committee.
- d The Clerk will conduct the review of performance and appraisal of Deputy Clerks, which will then be subject to review by the Human Resources Committee.
- e Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Chair of the Human Resources Committee or in their absence, the vice-Chair of the committee in respect of an informal or formal grievance matter, and this matter shall be reported back to and progressed by resolution of the Human Resources Committee.
- f Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair or vice-Chair of the Human Resources Committee, this shall be communicated to another member of the Human Resources Committee and shall be reported back to and progressed by resolution of the Human Resources Committee.
- g Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- h In accordance with standing order 13(a), persons with line management responsibilities shall have access to staff records referred to in standing order 21(f).

22. **RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 23.*

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

23. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

*See also standing order 13.*

- a **The Council may appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

24. **RELATIONS WITH THE PRESS/MEDIA**

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

25. **EXECUTION AND SEALING OF LEGAL DEEDS**

*See also standing order 17(b)(xii).*

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

26. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.
  - iii. contact stakeholders, partners or grant applicants without delegated authority from the relevant committee or full council.

27. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least six councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible after their election or co-option, or after the Council's standing orders have been amended by resolution of the Council.
- d The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.