

# Stowlangtoft Parish Council



## Standing Orders and Policies

# 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 the Parish Council but they may refer to them. A local council must have standing orders for the procurement of contracts.

Meetings of the Parish 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 and to control the number, place, quorum, notices and other procedures for meetings.

## Policies

Policies of the Parish Council are agreed approaches to activities that the Council is required to undertake or has chosen to undertake.

## Adoption and Review

| <b>Activity</b> | <b>Meeting Date</b>                 |
|-----------------|-------------------------------------|
| Reissue         | 17 January 2022                     |
| Review          | 15 May 2023 – added Code of Conduct |
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# Standing Orders

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# Policies

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# 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 Chairman 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- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to Standing Order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Chairman 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 they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation;
  - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- r 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;
  - ix. to suspend standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the chairman 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 his right of reply.
- t Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chairman 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 chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregards the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or 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) above is ignored, the chairman 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.

## 3. Meetings generally

- 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 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. The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed 20 minutes unless directed by the chairman of the meeting.



- g. Subject to standing order 3(f) above, a member of the public shall not speak for more than 5 minutes.
  - h. In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
  - i. A person shall raise his hand when requesting to speak.
  - j. A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
  - k. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman 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 Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council.
  - o. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
  - p. Subject to a meeting being quorate (minimum of 3 councillors), all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.
  - q. 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 5(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.*
- r. 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.

- 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 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.
  
- t 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.
  
- u 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.
 

*See standing order 4d(viii) below 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.

## 4. Committees & Sub Committees

Reserved

## 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 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 6pm.

- d In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- e The 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 representation on or work with external bodies and arrangements for reporting back;
  - v. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
  - vi. Review of inventory of land and assets including buildings and office equipment;
  - vii. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - viii. Review of the council's and/or staff subscriptions to other bodies;

- ix. Review of the council's complaints procedure;
- x. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xi. Review of the council's policy for dealing with the press/media;
- xix. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## 6. Extraordinary meetings of the council

- 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.

## 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 3 councillors to be given to the Proper Officer in accordance with standing order 9 below.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within 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 chairman 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 which it is tabled for 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 3 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, 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) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 3 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their 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 refer a motion to a particular committee or sub-committee;
  - v. to appoint a person to preside at a meeting;
  - vi. to change the order of business on the agenda;
  - vii. to proceed to the next business on the agenda;
  - viii. to require a written report;
  - ix. to appoint a committee or sub-committee and their members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
  - xii. to not hear further from a councillor or a member of the public;
  - xiii. to exclude a councillor or member of the public for disorderly conduct;
  - xiv. to temporarily suspend the meeting;
  - xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
  - xvi. to adjourn the meeting;
  - xvii. to close a meeting.

## 11. Handling confidential or sensitive information

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 12. 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) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of Stowlangtoft Parish Council held on [date] were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 13. Code of conduct and dispensations

*See also standing order 3(t) above.*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
- h A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
  - ii. granting the dispensation is in the interests of persons living in the council's area or
  - iii. it is otherwise appropriate to grant a dispensation.



## 14. Code of conduct complaints

- a Upon notification by the District 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 above, report this to the council.
  
- b Where the notification in standing order 14(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 14(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 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.

## 15. 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, a committee and a subcommittee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.

*See standing order 3(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 (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);

*See standing order 3(b) above for the meaning of clear days for a meeting of a full council.*

- iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming his withdrawal of it;
- iv. convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
- v. facilitate inspection of the minute book by local government electors;
- vi. receive and retain copies of byelaws made by other local authorities;
- vii. retain acceptance of office forms from councillors;
- viii. retain a copy of every councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xii. arrange for legal deeds to be executed; *See also standing order 22 below.*
- xiii. 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;
- xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xv. manage access to information about the council via the publication scheme;

## 16. Responsible Financial Officer

- a The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

## 17. Accounts and accounting statements

- a “Proper practices” in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- 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 councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the council’s receipts and payments for each quarter;
  - ii. the council’s aggregate receipts and payments for the year to date;
  - iii. the balances held at the end of the quarter being reported

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the council’s receipts and payments for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

## 18. Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£60,000].
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£60,000] shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm
    - (i) the council's specification
    - (ii) the time, date and address for the submission of tenders
    - (iii) the date of the council's written response to the tender and
    - (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the

- Proper Officer;
- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.

## 19. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the Clerk shall notify the Chairman or, if he is not available, the Vice-Chairman of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c Reserved
- d Subject to the council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman or in his absence, the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the Chairman or Vice-Chairman of, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of Council.

- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to (post holder) and/or the Chairman of the Council.

## 20. Requests for information

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 21. 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.

## 22. Execution and sealing of legal deeds

Reserved

## 23. Communicating with District and County or councillors

- a An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the council.
- b Unless the council determines otherwise, a copy of each letter sent to the District or County Council shall be sent to the ward councillor(s) representing the area of the council.

## 24. Restrictions on councillor activities

- a. Unless authorised by a resolution, 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.

## 25. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory 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 requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

# Stowlangtoft Parish Council Freedom of Information Act - Publication Policy

(Updated January 2022)

| Information to be published   | How the information can be obtained  | Cost for copy         |
|---|--|-----------------------|
| <p><b>Class1 - Who we are and what we do</b><br/>(Organisational information, structures, locations and contacts)</p> <p>This will be current information only</p> <p>N.B. Councils should already be publishing as much information as possible about how they can be contacted.</p> | (hard copy and/or website)   |                       |
| Who's who on the Council and its Committees   | Available on website or hard copy  | £1 then 10p per sheet |
| Contact details for Parish Clerk and Council members (named contacts where possible with telephone number and email address (if used))  | Available on website or hard copy<br>Via Clerk   | £1 then 10p per sheet |
| Meeting & Parish Council Accessibility details  | Via Parish Clerk:<br>Email:<br><a href="mailto:stowlangtoftpc@outlook.com">stowlangtoftpc@outlook.com</a><br>Phone: 07767 866279<br>Meetings arranged at local venue |                       |
| Staffing structure  | None, clerk only   |                       |
| <p><b>Class 2 – What we spend and how we spend it</b><br/>(Financial information relating to projected and actual income and expenditure, procurement, contracts and financial audit)</p> <p>Current and previous financial year as a minimum</p>                                     | (hard copy and/or website)   |                       |



|  |  |                       |
|--|--|-----------------------|
| Annual return form and report by auditor   | Available on website or hard copy, contact clerk | £1 then 10p per sheet |
| Finalised budget   | Hard copy, contact clerk                         | £1 then 10p per sheet |
| Precept  | Hard copy, contact clerk                         | £1 then 10p per sheet |
| Borrowing Approval letter  | None   |                       |
| Financial Standing Orders and Regulations  | Website or hard copy, contact clerk              | £1 then 10p per sheet |
| Grants given and received  | Hard copy, contact clerk                         | £1 then 10p per sheet |
| List of current contracts awarded and value of contract  | Hard copy, contact clerk                         | £1 then 10p per sheet |
| Members' allowances and expenses   | Hard copy, contact clerk                         | £1 then 10p per sheet |
|  |  |                       |
| <b>Class 3 – What our priorities are and how we are doing</b><br>(Strategies and plans, performance indicators, audits, inspections and reviews) | (hard copy or website)                           |                       |
| Parish Plan (current and previous year as a minimum)   | None   |                       |
| Annual Report to Parish or Community Meeting (current and previous year as a minimum)  | Available free on website or hard copy           | £1 then 10p per sheet |
| Quality status   | None   |                       |
| Local charters drawn up in accordance with government guidelines   | None   |                       |
|  |  |                       |
| <b>Class 4 – How we make decisions</b><br>(Decision making processes and records of decisions)   | (hard copy or website)                           |                       |
| Current and previous council year as a minimum   |  |                       |
| Timetable of meetings (Council, any committee/sub-committee meetings and parish meetings)  | Available free on website or hard copy           | £1 then 10p per sheet |
| Agendas of meetings (as above)   | Available free on website or hard copy           | £1 then 10p per sheet |
| Minutes of meetings (as above) – nb this will exclude information that is properly regarded as private to the meeting.                           | Available free on website or hard copy           | £1 then 10p per sheet |

|  |   |                       |
|--|---|-----------------------|
| Reports presented to council meetings - nb this will exclude information that is properly regarded as private to the meeting.  | Available free on website or hard copy                | £1 then 10p per sheet |
| Responses to consultation papers   | Available free on website or hard copy                | £1 then 10p per sheet |
| Responses to planning applications   | Available free on website or hard copy                | £1 then 10p per sheet |
| Bye-laws   | None  |                       |
|  |   |                       |
| <b>Class 5 – Our policies and procedures</b><br>(Current written protocols, policies and procedures for delivering our services and responsibilities)<br><br>Current information only  | (hard copy or website)                                |                       |
| Policies and procedures for the conduct of council business:<br><br>Procedural standing orders<br>Committee and sub-committee terms of reference<br>Delegated authority in respect of officers<br>Code of Conduct<br>Policy statements   | Contact Clerk with specific requests for any policies | £1 then 10p per sheet |
| Policies and procedures for the provision of services and about the employment of staff:<br><br>Internal policies relating to the delivery of services<br>Equality and diversity policy<br>Health and safety policy<br>Recruitment policies (including current vacancies)<br>Policies and procedures for handling requests for information | Contact Clerk with specific requests for any policies | £1 then 10p per sheet |

|  |  |                       |
|--|--|-----------------------|
| Complaints procedures (including those covering requests for information and operating the publication scheme)   |  |                       |
| Information security policy  | None   |                       |
| Records management policies (records retention, destruction and archive)   | None   |                       |
| Data protection policies   | Website or hard copy, contact clerk  |                       |
| Schedule of charges) for the publication of information)   | This document  |                       |
|  |  |                       |
| <b>Class 6 – Lists and Registers</b><br>Currently maintained lists and registers only  | (hard copy or website; some information may only be available by inspection) |                       |
| Any publicly available register or list (if any are held this should be publicised; in most circumstances existing access provisions will suffice)   | Contact Clerk  | £1 then 10p per sheet |
| Assets Register  | Contact Clerk  | £1 then 10p per sheet |
| Disclosure log (indicating the information that has been provided in response to requests; recommended as good practice, but may not be held by parish councils)                                     | None available   |                       |
| Register of members' interests   | Contact Clerk  | £1 then 10p per sheet |
| Register of gifts and hospitality  | Contact Clerk  | £1 then 10p per sheet |
|  |  |                       |
| <b>Class 7 – The services we offer</b><br>(Information about the services we offer, including leaflets, guidance and newsletters produced for the public and businesses)<br>Current information only | (hard copy or website; some information may only be available by inspection) |                       |
| Allotments   | None   |                       |
| Burial grounds and closed churchyards  | None   |                       |
| Community centres and village halls  | None   |                       |

|   |               |  |
|---|---------------|--|
| Parks, playing fields and recreational facilities   | None          |  |
| Seating, litter bins, clocks, memorials and lighting  | Contact Clerk |  |
| Bus shelters  | Contact Clerk |  |
| Markets   | None          |  |
| Public conveniences   | None          |  |
| Agency agreements   | None          |  |
| A summary of services for which the council is entitled to recover a fee, together with those fees (e.g. burial fees) | None          |  |

### SCHEDULE OF CHARGES

This describes how the charges have been arrived at and should be published as part of the guide.

| <b>TYPE OF CHARGE</b>    | <b>DESCRIPTION</b>   | <b>BASIS OF CHARGE</b>                                   |
|--------------------------|--|--|
| <b>Disbursement cost</b> | Photocopying @ £1 first sheet then 10p per sheet (black & white) | Actual cost of stationery & admin time & postage*        |
|                          | Postage  | Actual cost of Royal Mail standard 2 <sup>nd</sup> class |

# Stowlangtoft Parish Council Document Retention Policy (Issued January 2022)

## RETENTION OF DOCUMENTS REQUIRED FOR THE AUDIT OF PARISH COUNCILS

| DOCUMENT  | MINIMUM RETENTION PERIOD                        | REASON   |
|---|---|--|
| ▪ Minute books  | Indefinite                                      | Archive  |
| ▪ Scales of fees and charges                          | 6 years   | Management   |
| ▪ Receipt and payment account(s)                      | Indefinite                                      | Archive  |
| ▪ Receipt books of all kinds                          | 6 years   | VAT  |
| ▪ Bank statements, including deposit/savings accounts | Last completed audit year                       | Audit  |
| ▪ Bank paying-in books                                | Last completed audit year                       | Audit  |
| ▪ Cheque book stubs                                   | Last completed audit year                       | Audit  |
| ▪ Quotations and tenders                              | 6 years   | Limitation Act 1980 (as amended)                       |
| ▪ Paid invoices                                       | 6 years   | VAT  |
| ▪ Paid cheques  | 6 years   | Limitation Act 1980 (as amended)                       |
| ▪ VAT records   | 6 years generally but 20 years for VAT on rents | VAT  |
| ▪ Petty cash, postage and telephone books             | 6 years   | Tax, VAT, Limitation Act 1980 (as amended)             |
| ▪ Timesheets  | Last completed audit year<br>3 years            | Audit (requirement)<br>Personal injury (best practice) |
| ▪ Wages books   | 12 years  | Superannuation   |
| ▪ Insurance policies                                  | While valid                                     | Management   |

|  |  |  |
|--|--|--|
| ▪ Certificates for Insurance against liability for employees | 40 years from date on which insurance commenced or was renewed | The Employers' Liability (Compulsory Insurance) Regulations 1998 (SI. 2753), Management. |
| ▪ Investments  | Indefinite   | Audit, Management  |
| ▪ Title deeds, leases, agreements, contracts                 | Indefinite   | Audit, Management  |
| ▪ Members allowances register                                | 6 years  | Tax, Limitation Act 1980 (as amended)  |

| DOCUMENT   | MINIMUM RETENTION PERIOD | REASON  |
|--|--------------------------|---|
| <b>For Halls, Centre, Recreation Grounds</b>   |                          |   |
| <ul style="list-style-type: none"> <li>▪ application to hire</li> <li>▪ lettings diaries</li> <li>▪ copies of bills to hires</li> <li>▪ record of tickets issued</li> </ul>  | 6 years                  | VAT   |
| <b>For Allotments</b>  |                          |   |
| <ul style="list-style-type: none"> <li>▪ register and plans</li> </ul>   | Indefinite               | Audit, Management   |
| <b>For Burial Grounds</b>  |                          |   |
| <ul style="list-style-type: none"> <li>▪ register of fees collected</li> <li>▪ register of burials</li> <li>▪ register of purchased graves</li> <li>▪ register/plan of grave spaces</li> <li>▪ register of memorials</li> <li>▪ applications for interment</li> <li>▪ applications for right to erect memorials</li> <li>▪ disposal certificates</li> <li>▪ copy certificates of grant of exclusive right of burial</li> </ul> | Indefinite               | Archives, Local Authorities Cemeteries Order 1977 (SI. 204) |

# Stowlangtoft Parish Council Internet Banking Policy

## (adopted January 2022)

### Background

1. The Legislative Reform (Payments by Parish Councils, Community Councils and Charter Trustees) Order 2014 came into effect on 12th March 2014. This Legislative Reform Order repeals the statutory requirement for 2 elected members to sign cheques and other orders for payment.
2. The removal of this legal requirement will enable the Parish Council to review its approach to how it controls its money as well to take advantage of modern technology including internet banking.
3. The Parish Council acknowledges the need to maintain robust controls on payments as an integrated part of its overall financial control system and proposes an Internet Banking Policy as part of its Financial Regulations.
4. The Parish Council will review the procedures for undertaking payments using internet banking after an initial period to ensure its effectiveness but also on a regular ongoing basis.

### Account Details

5. The Parish Council has one Bank account:
6. A community Account at Barclays with cheque and internet banking facilities for the day-to-day payment of invoices and receipt of any income.
7. The signatories to the accounts are:
  - Cllr Damian D'Lima (Barclays & Barclays online)
  - Cllr Ian Cassidy (Barclays & Barclays online)
  - Cllr Anna Suggett (Barclays & Barclays online)
  - The Parish Clerk (Barclays & Barclays online)
8. Wherever possible, payments will be made using online banking. The process of operating the online account will be subject to the rules and security authorisation process of Barclays Bank. Cheques and online payments must be signed by 2 authorised signatories to the account.

### Procedures

9. The following banking procedures will be used:
  - a. All orders for payment will be verified for accuracy by the Parish Clerk.

b. A schedule of all payments shall be prepared by the Parish Clerk and presented to each meeting of the Council together for approval. The minutes of the meeting shall confirm approval for payments.

c. Wherever possible, payments from the approved schedule will be made using online banking. The following paragraphs set out the principles and procedures of operation of the online account with particular attention to the raising of payment requests and their authorisation. The actual process of operating the online account will be the subject to the rules and security authorisation process of Barclays bank.

(1) Where a payment is made online, this will only be made from the approved schedule. The Parish Clerk will raise the online payment and ask one of the authorised councillors to authorise the payment online.

(2) Where a payment is to be made by cheque, the cheque will be signed by two authorised Councillors who shall also initial the counterfoil.

d. Where payments may be required in between meetings, the Parish Clerk will email copies of invoices requiring payment to authorised signatories before raising a payment request online. Out of meeting payments will be reported at the next council meeting.

e. The Chairman of the Council will check bank statements at each Council meeting and initial once complete.



# Code of Conduct for Members 2020 (adopted July 2022)

## General principles of public life

1. The Localism Act 2011 requires the Council to adopt a Code of Conduct for Members that is consistent with the following Seven Principles of Public Life (also known as the Nolan Principles). The principles are:

### **Selflessness**

Holders of public office should act solely in terms of the public interest.

### **Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

### **Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

### **Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

### **Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

### **Honesty**

Holders of public office should be truthful.

### **Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

2. Building on these principles, the following general principles have been developed specifically for the role of councillor.

- a. In accordance with the public trust placed in me, on all occasions:
  - I act with integrity and honesty
  - I act lawfully
  - I treat all persons fairly and with respect; and
  - I lead by example and act in a way that secures public confidence in the role of councillor.

- b. In undertaking my role:
- I impartially exercise my responsibilities in the interests of the local community
  - I do not improperly seek to confer an advantage, or disadvantage, on any person
  - I avoid conflicts of interest
  - I exercise reasonable care and diligence; and
  - I ensure that public resources are used prudently in accordance with my Council's requirements and in the public interest.

## Introduction and Interpretation

3. This Code of Conduct has been adopted by Stowlangtoft Parish Council to support its duty to promote and maintain high standards of conduct by Members of the Council as required by the Localism Act 2011.

4. In this Code:

**“Member”** includes an elected member and a co-opted member.

**“Monitoring Officer”** means the Monitoring Officer of Mid Suffolk District Council. This is because the Localism Act 2011 requires the Monitoring Officer of the principal council to discharge certain ethical standards responsibilities in relation to the local councils in their area.

**“meeting”** means any meeting of the Council and any of the Council's committees, sub committees, joint committees with other authorities or other formal meetings.

**“disclosable pecuniary interest”** means an interest described in Table 1 of this Code and which is an interest of a Member or an interest of (i) that Member's spouse or civil partner; (ii) a person with whom that Member is living as husband or wife; or (iii) a person with whom that Member is living as if they were civil partners, and that Member is aware that that other person has the interest.

**“non-registerable interests”** mean an interest as defined in Table 2 of this Code.

**“dispensation”** means a dispensation granted by the Council or other appropriate person or body which relieves a Member from one or more of the restrictions set out in sub-paragraphs 3(5)(i), 3(5)(ii) and 3(5)(iii) of Part 3 of this Code to the extent specified in the dispensation.

**“register”** means the register of disclosable pecuniary interests maintained by the Monitoring Officer of Mid Suffolk District Council.

**“sensitive interest”** means an interest that a Member has (whether or not a disclosable pecuniary interest) in relation to which the Member and the Monitoring Officer consider that disclosure of the details of that interest could lead to the Member, or a person connected with the Member, being subject to violence or intimidation.

**"Partner"** means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

**"interest"** means any disclosable pecuniary interest or any non-registerable interest where the context permits.

5. This Code is arranged as follows:

- Part 1 Application of the Code of Conduct
- Part 2 Standards of Councillor Conduct
- Part 3 Registering and declaring interests
- Table 1 Pecuniary interests
- Table 2 Other registerable interests

## **Part 1 - Application of the Code of Conduct**

1. This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor. This Code of Conduct applies to you when you are acting in your capacity as a councillor which may include when:

- you misuse your position as a councillor
- Your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor;
- 

2. The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.
- 

3. You are also expected to uphold high standards of conduct and show leadership at all times when acting as a councillor. The Mid Suffolk District Council Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from the Monitoring Officer on any matters that may relate to the Code of Conduct. Parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

## **Part 2 - Standards of councillor conduct**

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a

complaint may be made against you, which may result in action being taken. Guidance is included to help explain the reasons for the obligations and how they should be followed.

## 1. **Respect as a councillor:**

1.1 I treat other councillors and members of the public with respect.

1.2 I treat council employees, employees and representatives of partner organisations and those volunteering for the council with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors. In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the council, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and council employees.

## 2. **Bullying, harassment and discrimination.** As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the council's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

**3. Impartiality of officers of the council.** As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the council.

Officers work for the council as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

**4. Confidentiality and access to information** As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
  - i. I have received the consent of a person authorised to give it;
  - ii. I am required by law to do so;
  - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
  - iv. the disclosure is:
    1. reasonable and in the public interest; and
    2. made in good faith and in compliance with the reasonable requirements of the council; and
    3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the council must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. **Disrepute.** As a councillor:

5.1 I do not bring my role or council into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your council and may lower the public's confidence in you or your council's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your council into disrepute.

You are able to hold the council and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. **Use of position.** As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the council provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. **Use of council resources and facilities.** As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the council or authorising their use by others:

- a. act in accordance with the council's requirements; and
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the council or of the office to which I have been elected or appointed.

You may be provided with resources and facilities by the council to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of council buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with

the purpose for which they have been provided and the council's own policies regarding their use.

8. **Complying with the Code of Conduct.** As a Councillor:

8.1 I undertake Code of Conduct training provided by my council.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

9. **Interests.** As a councillor:

9.1 I register and disclose my interests.

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority.

You need to register your interests so that the public, council employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

**Appendix B** sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. **Gifts and hospitality** As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of

influence on my part to show favour from persons seeking to acquire, develop or do business with the council or from persons who may apply to the council for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the council, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

### **Part 3 - Registering and declaring interests**

1. Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

2. **"Disclosable Pecuniary Interest"** means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

- You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
- A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
- Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.



### 3. **Non participation in case of disclosable pecuniary interest**

- Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest.
- Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
- Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

### 4. **Disclosure of Other Registerable Interests**

- Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in Table 2), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

### 5. **Disclosure of Non-Registerable Interests**

- Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
- Where a matter arises at a meeting which **affects** –
  - your own financial interest or well-being;
  - a financial interest or well-being of a relative or close associate; or
  - a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied
- Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:

- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
  - a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.
  - You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.
  - If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
- Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it.

**Table 1: Disclosable Pecuniary Interests**

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| <b>Subject</b>   | <b>Description</b>  |
|--|---|
| <b>Employment, office, trade, profession or vocation</b> | Any employment, office, trade, profession or vocation carried on for profit or gain.  |
| <b>Sponsorship</b>                                       | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.  |
| <b>Contracts</b>   | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council.<br><br>(a) under which goods or services are to be provided or works are to be executed; and<br>(b) which has not been fully discharged. |
| <b>Land and Property</b>                                 | Any beneficial interest in land which is within the area of the council.<br>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.  |
| <b>Licenses</b>  | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer  |

|                            |   |
|----------------------------|---|
| <b>Corporate tenancies</b> | Any tenancy where (to the councillor's knowledge)—<br>(a) the landlord is the council; and<br>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.   |
| <b>Securities</b>          | Any beneficial interest in securities* of a body where—<br>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and<br>(b) either—<br>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or<br>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class |

\* 'director' includes a member of the committee of management of an industrial and provident society.

\* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2: Other Registrable Interests

You must register as an Other Registerable Interest :

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(i) exercising functions of a public nature

(ii) directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management