

Stutton-cum Hazlewood Parish Council Standing Orders

Items formatted in **bold red** are mandatory and we cannot change them or omit them. All of the Data Protection material in Section 11 should be considered as mandatory until we are informed otherwise.

The 2019 version the Stutton cum Hazelwood Standing Orders is based on **NALC Model Standing Orders 2018 (England)** and its amendments plus GDPR (2018) requirements and was adopted by Council on 11th April 2019.

These regulations were revised and adopted by the above Council on 14 May 2020.

Inclusivity

In the following document all instances identifying **he/him/his** should be taken to warmly encompass **she/her/hers** as well as persons identifying as their non-biological gender or as both genders or any combination or degree of gender fluidity.

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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- c. A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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 (as amended) 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 of the meeting.
- j. Subject to Standing Order 1(k), 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 on 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 he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- p. During the debate on 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 exclude the public and press;
 - vii. to adjourn the meeting; or
 - viii. 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 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), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 2 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) disregard 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 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 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 to councillors 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) shall not exceed twenty minutes unless directed by the chairman of the meeting.
- g. Subject to Standing Order 3(f), a member of the public shall not speak for more than five minutes.
- h. 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 chairman of the meeting may direct that a written or oral response be given.
- i. A person shall normally remain seated when requesting to speak and when speaking. The Chairman may at any time require an individual to stand when speaking and to raise their hand when requesting to speak (except when a person has a disability or is likely to suffer discomfort).
- 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. Subject to Standing Order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- m. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- n. 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.
- o. 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 .
- p. The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.
- q. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting.
- r. 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(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- s. 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.

- t. 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. If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.;
 - iii. interests that have been declared by councillors;
 - iv. the grant of dispensations (if any);
 - v. whether a councillor 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.

- u. **A councillor 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.**

- v. **No business may be transacted at a meeting unless at least three of the Council are present and in no case shall the quorum of a meeting be less than three.**

- w. **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.

- x. In the event of it proving necessary to hold a meeting remotely via video-conference in accordance with Paragraph 10 of the Local Government Act 1972 these Standing Orders will continue to apply but in addition (i) any member of the press or public wishing to speak at or observe the meeting must notify the Clerk, who will advise as to the procedure, at least 3 days before the meeting and (ii) Councillors are deemed present for the purposes of any remote meeting, when they can speak, hear, and be heard (and where practicable see and be seen) by all those in attendance (whether by video conferencing or by telephone).

- y. A meeting shall not exceed a period of 2 hours.

4: Advisory committees

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.
- c. Advisory committees have no delegated powers to make decisions; they report back to the full council with their findings and if appropriate their recommendations.

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 7:00pm.
- 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 decides.
- e. The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman 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 there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.

- 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 annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- 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 annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting, the business 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 of delegation arrangements to the Clerk and other local authorities;
 - iv. Review and adoption of appropriate Standing Orders and financial regulations;
 - v. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
 - vi. Review of representation on or work with external bodies and arrangements for reporting back;
 - vii. 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;
 - viii. Review of inventory of land and other assets including buildings and office equipment;

- ix. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- x. Review of the Council's and/or the Clerk's subscriptions to other bodies;
- 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 Order 11);
- xiii. Review of the Council's policy for dealing with the press/ media;
- xiv. Review of the Council's employment policies and procedures;
- xv. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xvi. 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

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. If any councillor feels that an issue needs to be discussed urgently and that delaying until the next scheduled full meeting would be detrimental then they can propose a motion that we have an extraordinary meeting. If the motion is passed the Clerk will coordinate the choosing of the date.
- c. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- d. Emergency planning decisions where time precludes holding an extraordinary meeting may be disposed of adequately and openly through email contributions with the Clerk summarising Councillors' views.

7: Previous Resolutions

- a. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except by a special motion, the written notice whereof bears the names of at least two members of the Council.
- 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 two persons have been nominated for a position to be filled by the Council a tied vote may be settled by the casting vote exercisable by the Chairman of the meeting.

9: Motions that require written notice to be given

- 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 seven 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), 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 resubmits it, so that it can be understood, in writing, to the Proper Officer at least three 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. 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 in a book for that purpose with an explanation by the Proper Officer of the reason for rejection. The book shall be open to inspection by all councillors

10: Motions that do not require written notice

- a. Motions in respect of the following matters may be moved without written notice.
- i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to the Clerk.
 - x. To appoint an advisory committee or any councillors thereto.
 - xi. To move to a vote.
 - xii. To dissolve an advisory committee.
 - xiii. To note the minutes of a meeting of advisory committee.
 - xiv. To consider a report and/or recommendations made by advisory committee.
 - xv. To consider a report and/or recommendations made by the Clerk, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds [signed by two councillors and witnessed.
(See Standing Orders 21(a) and (b) below.)
 - xvii. To authorise the payment of monies up to £300.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by Standing Orders.
 - xxiii. To suspend any Standing Order except those which are mandatory by law.
 - xxiv. To adjourn or to temporarily suspend the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
 - xxvii. To require a written report
 - xxviii. To not hear further from a councillor or a member of the public.
 - xxix. To close the meeting.

11: Data Protection Act (1988) & General Data Protection Regulations (2018)

The General Data Protection Regulations (2018) subsumes all of the requirements of the Data Protection Act (1988) and expands upon them and adds several other requirements. The following notices and policies have been written in such a way that they integrate the requirements of the two pieces of law and should be available to the public.

Section 1: A general overview of our responsibilities

- 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, the Clerk, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
- e. In accordance with legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- f. If gross annual income or expenditure (whichever is higher) does not exceed £25,000] The Council shall publish information in accordance with the requirements of the Smaller Authorities
- g. The Council may appoint a Data Protection Officer.
- h. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- i. The Council shall have a written policy in place for responding to and managing a personal data breach.

- j. 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.
- k. 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.
- l. The Council shall maintain a written record of its processing activities.

The above are not exclusive of the Parish Council's full responsibilities under GDPR. They should be read and interpreted in conjunction with the new GDPR Notices and Policies presented below.

Section 2: The PC website shall contain the following statement as an introduction to our responsibilities under GDPR

Introduction to the General Data Protection Regulation (GDPR) and Data Protection

The General Data Protection Regulation came into force on 25th May 2018. It is an important and complex piece of legislation that places particular responsibilities on the Parish Council. For example we have to seek permission (informed consent) from residents to allow us to collect personal data and keep it on a secure database. We have to tell you why we need the data, use it for that particular task only and store it safely and securely until we delete or destroy the data after it has been used.

We have created several policy statements explaining what we will do, why we will do it and explain your rights to find out what information we have about you.

The Parish Council takes the protection of your data seriously. Our aim is to provide a personalised and valuable service whilst safeguarding our users' privacy. Collecting some personal information as and when necessary may be required. We have set out below what we will do with your personal information.

GDPR - Your information and how the information you provide will be used?

Any personal information including your name, postal address, telephone number, and email address given via this website/form will only be used to provide a requested service or other service provided by or on behalf of Stutton cum Hazlewood Parish Council, kept for as long as necessary to provide that service and will not be disclosed to any other third party without your prior explicit permission or unless we are required to do so by law.

Your personal data – what is it?

“Personal data” is any information about a living person which allows them to be identified from that data (for example a name, photograph, video, email address, or address). Identification can be by directly using the data itself or by combining it with other information which helps to identify a person. Basically any information or combination of information from multiple sources that allows you to be identified is considered to be personal data and hence must be collected, handled, protected and disposed of under the requirements of the GDPR

Finally, the following documents are available pdf format on the website or via contact with the Clerk. If you require the files in another format please contact the Clerk

via email: [clerkstuttonpc@gmail.com]

by telephone [07796 544 404]

or by letter

Gill Kitchen

6 Wood Lane

Thorpe Willoughby

Selby

YO8 9PT

The policies / notices that are available are

- **General Data Privacy Policy**
- **Email Contact Privacy Notice**
- **Data Privacy Notice for Staff*, Councillors and Role Holders****
- **Data Protection Policy**

Section 3: Notices and Policies specifying our responsibilities, procedures and actions under GDPR (2018)

i: General Data Privacy Policy

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Stutton cum Hazlewood Parish Council's Right to Process Information

Under General Data Protection Regulations Article 6 (1) (a) (b) and (e) the Council can process data if;

- Processing is with consent of the individual concerning the data required or
- Processing is necessary for compliance with a legal obligation or
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (this being Stutton cum Hazlewood Parish Council)

Personal data

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photographs, videos, email address, or address). Identification can be by the personal data alone or in conjunction with any other personal data. The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR) and other local legislation relating to personal data and rights such as the Human Rights Act.

Council information

This Privacy Policy is provided by Stutton cum Hazlewood Parish Council which is the data controller for your data. The Council's contact details are at the end of this document.

What personal data is collected?

Stutton cum Hazlewood Parish Council may collect personal data in the form of names, addresses, email addresses and telephone numbers.

The Council holds invoices, receipts, contracts, correspondence and cancelled cheques relating to the services provided by the Council.

The Council maintains statutory records.

The Council may communicate with individuals and organisations by telephone, letter or email.

The Council does not collect or process sensitive personal data or other special categories of data such as racial or ethnic origin, mental and physical health, details of injuries, medication/treatment received, political beliefs, trade union affiliation, genetic data, biometric data, data concerning and sex life or sexual orientation.

The Council may hold sensitive personal data where it supports an individual in obtaining services from a third party, or in pursuing a complaint. In these circumstances the sensitive personal information will be provided by the data subject and used only in accordance with their instructions.

The Council may hold personal data where a complaint or claim for damages has been made against the Council.

The council will comply with data protection law. This says that the personal data we hold about you must be

- Used lawfully, fairly and in a transparent way;
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes;
- Relevant to the purposes we have told you about and limited only to those purposes;
- Accurate and kept up to date;
- Kept only as long as necessary for the purposes we have told you about;
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

We use your personal data for some or all of the following purposes

- To deliver public services including to understand your needs to provide the services that you request and to understand what we can do for you and inform you of other relevant services;
- To contact you by post, email, or telephone;
- To prevent and detect fraud and corruption in the use of public funds and where necessary for law enforcement;
- To enable us to meet all legal and statutory obligations and powers including any delegated functions;
- To carry out safeguarding procedures (including due diligence and complaints handling) in accordance with best safeguarding practice from time to time with the aim of ensuring that all children and adults-at-risk are

provided with safe environments and generally as necessary to protect individuals from harm or injury;

- To promote the interests of the council;
- To maintain our own accounts and records;
- To seek your views, opinions or comments;
- To notify you of changes to our facilities, services, events and staff, councillors and role holders;
- To process relevant financial transactions including grants and payments for goods and services supplied to the council

What is the legal basis for processing your personal data?

The council is an elected public body and has certain powers and duties. Most of your personal data is processed for compliance with a legal obligation which includes the discharge of the council's statutory functions and powers. When exercising these powers or duties it is sometimes necessary to process personal data of residents or people using the council's services. We will always take into account your interests and rights. This Privacy Policy sets out your rights and the council's obligations to you in detail.

We may also process personal data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract.

Sometimes the use of your personal data requires your explicit consent. We will first obtain your consent to that use.

Sharing your personal data

- The Council will implement appropriate security measures to protect your personal data.
- The Council will not share your personal data with anyone without your consent.
- If you consent to the publication of a photograph, the image may be published in printed material and on the Parish Council website which may be accessed from anywhere in the world.

How long do we keep your personal data?

In general, we will keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

We will keep some records permanently if we are legally required to do so, or in connection with our statutory obligations as a public authority. We may keep some other records for an extended period of time, for example to support HMRC audits or provide tax information, or in order to defend or pursue claims or legal proceedings.

Information Security

Stutton cum Hazlewood Parish Council has a duty to ensure the security of personal data. We take this duty very seriously. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. (You may request the deletion of your data held by Stutton cum Hazlewood Parish Council at any time).

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Your rights and your personal data

When exercising any of the nine rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

You have the following rights with respect to your personal data:

- The right to be informed
- The right to access personal data we hold on you;
- The right to correct and update the personal data we hold on you;
- The right to have your personal data erased;
- The right to object to processing of your personal data or to restrict it to certain purposes only;
- The right to data portability;
- The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained;
- Rights in relation to automated decision making and profiling;
- The right to lodge a complaint with the Information Commissioner's Office.

What to do to implement your rights

If you have any questions about your rights or or the personal data we hold about you or you wish to invoke any of these rights please contact us - comprehensive contact details are included below.

Access to Information

You have the right to request access to the information we have on you.

Information Correction and Updating

If you believe that the information we have about you is incorrect, you can ask us to update it and keep your data accurate

Information Deletion

If you wish Stutton cum Hazlewood Parish Council to erase the information about you, you ask us to securely delete digital data and/or shred paper copies.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object.

Right to lodge a complaint with the Information Commissioner's Office

You can contact the Information Commissioners Office directly

Right to data portability

You can ask us to give you a copy of your data that we hold on you and allows you to reuse it for your own purposes. You are free to either store the data for personal use or to transmit it to another data controller.

We will provide the data “in a structured, commonly used and machine-readable format”

Right to withdraw your consent

You can withdraw your consent at any time to the processing of data for which consent was obtained

Rights Related to Automated Decision Making and Profiling

We do not use any form of automated decision making or the profiling of individual personal data.

Transfer of Data Abroad

Personal data will not be transferred outside the UK without your explicit consent.

Questions, Queries or Complaints

If you have any questions about this Privacy Policy or the personal data we hold about you, or wish to exercise your rights or a complaint regarding the way your personal data has been processed you may contact us and/or the Information Commissioners Office

General Contact Details

Stutton cum Hazlewood Parish Council

Contact the Clerk:

by email: [clerkstuttonpc@gmail.com]

by telephone [07796 544 404]

or by letter

Gill Kitchen

6 Wood Lane

Thorpe Willoughby

Selby

YO8 9PT

Information Commissioners Office

Contact the ICO directly

via email [casework@ico.org.uk] or [<https://ico.org.uk/global/contact-us/email/>]

or by telephone [0303 123 1113]

or by letter

The Information Commissioner's Office,

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire

SK9 5AF

Changes to this policy

This Privacy Policy will be reviewed from time to time, and updates will be published on the Stutton cum Hazlewood Parish Council website.

Summary:

In accordance with the law, Stutton cum Hazlewood Parish Council

- only collect a limited amount of information about you that is necessary for correspondence, providing or seeking information and providing a service you or others may have requested or suggested.
- do not use profiling, we do not sell or pass your data to third parties.
- do not use your data for purposes other than those specified.
- make sure your data is stored securely.
- delete all information deemed to be no longer necessary.
- constantly review our Privacy Policies to keep it up to date in protecting your data. (You can request a copy of our policies at any time).

ii: GDPR email disclaimer:

The following statement must be appended to any and all emails sent to the public or contractors or any other persons who are not PC councillors or our clerk:

This message has been sent as a part of discussion between Stutton-cum Hazelwood Parish Council and the addressee(s) whose name(s) is/are specified above. Should you receive this message by mistake, we would be most grateful if you informed us that the message has been sent to you. In this case, we also ask that you delete this message from your mailbox, and do not forward it or any part of it to anyone else. Thank you for your cooperation and understanding.



Is it necessary to print this email? If you care about the environment like we do, please refrain from printing emails. It helps to keep the environment forested and litter-free.

iii: Email Contact Privacy Notice

Council Name: Stutton cum Hazlewood Parish Council

When you contact us

The information you provide (personal information such as name, address, email address, phone number, organisation) will be processed and stored to enable us to contact you and respond to your correspondence, provide information and/or access our facilities and services. Your personal information will be not shared or provided to any other third party.

The Stutton cum Hazelwood Parish Council's Right to Process Information

Under General Data Protection Regulations Article 6 (1) (a) (b) and (e) the Council can process data if;

- Processing is with consent of the individual concerning the data required or
- Processing is necessary for compliance with a legal obligation or
- Processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the controller (this being Stutton cum Hazlewood Parish Council)

Information Security

Stutton cum Hazlewood Parish Council has a duty to ensure the security of personal data. We take this duty very seriously. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies. Copies of these policies can be requested.

We will only keep your data for the purpose it was collected for and only for as long as is necessary. After which it will be deleted. You may request the deletion of your data held by Stutton cum Hazlewood Parish Council at any time. Contact details are included at the end of this document

Children

We will not process any data relating to a child (under 13) without the express parental/ guardian consent of the child concerned.

Access to Information

You have the right to request access to the information we have on you.

Information Correction and Updating

If you believe that the information we have about you is incorrect, you can ask us to update it and keep your data accurate

Information Deletion

If you wish Stutton cum Hazlewood Parish Council to erase the information about you, you ask us to securely delete digital data and/or shred paper copies.

Right to Object

If you believe that your data is not being processed for the purpose it has been collected for, you may object.

Right to lodge a complaint with the Information Commissioner's Office

You can contact the Information Commissioners Office directly

Right to data portability

You can ask us to give you a copy of your data that we hold on you and allows you to reuse it for your own purposes. You are free to either store the data for personal use or to transmit it to another data controller.

We will provide the data "in a structured, commonly used and machine-readable format"

Right to withdraw your consent

You can withdraw your consent at any time to the processing of data for which consent was obtained

Rights Related to Automated Decision Making and Profiling

We do not use any form of automated decision making or the profiling of individual personal data.

Transfer of Data Abroad

Personal data will not be transferred outside the UK without your explicit consent.

Questions, Queries or Complaints

If you have any questions about this Privacy Policy or the personal data we hold about you, or wish to exercise your rights or a complaint regarding the way your personal data has been processed you may contact us and/or the Information Commissioners Office

Questions, queries or Complaints

If you have any questions about this Privacy Policy or the personal data we hold about you, or wish to exercise your rights or a complaint regarding the way your personal data has been processed you may contact Stutton cum Hazlewood Parish Council via

email: [clerkstuttonpc@gmail.com]

by telephone [07796 544 404]

or by letter

Gill Kitchen

6 Wood Lane

Thorpe Willoughby

Selby

YO8 9PT

and/or you can contact the Information Commissioners Office

via email [casework@ico.org.uk] or [<https://ico.org.uk/global/contact-us/email/>]

or Tel: [0303 123 1113]

or by post

[The Information Commissioner's Office,

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire

SK9 5AF]

iv: Privacy Notice for Staff*, Councillors and Role Holders**

***“Staff” means employees, workers, agency staff and those retained on a temporary or permanent basis*

***Includes, volunteers, contractors, agents, and other role holders within the council including former staff*and former councillors. This also includes applicants or candidates for any of these roles.*

This separate and far more detailed Privacy Notice is required because legally you are not considered to be able to give explicit informed consent to our collecting,

holding, processing and using your personal data because it is considered that the Parish Council, as your employer, has a 'power' over you.

Your personal data – what is it?

“Personal data” is any information about a living individual which allows them to be identified from that data (for example a name, photograph, video, email address, or address). Identification can be directly using the data itself or by combining it with other information which helps to identify a living individual (e.g. a list of staff may contain personnel ID numbers rather than names but if you use a separate list of the ID numbers which give the corresponding names to identify the staff in the first list then the first list will also be treated as personal data). The processing of personal data is governed by legislation relating to personal data which applies in the United Kingdom including the General Data Protection Regulation (the “GDPR”) and other legislation relating to personal data and rights such as the Human Rights Act.

Who are we?

This Privacy Notice is provided to you by Stutton cum Hazlewood Parish Council which is the Data Controller for your data.

The council works together with:

- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies

We may need to share personal data we hold with them so that they can carry out their responsibilities to the council and our community. The organisations referred to above will sometimes be “Joint Data Controllers”. This means we are all responsible to you for how we process your data where for example two or more data controllers are working together for a joint purpose. If there is no joint purpose or collaboration then the data controllers will be independent and will be individually responsible to you.

The council will comply with data protection law. This says that the personal data we hold about you must be:

- Used lawfully, fairly and in a transparent way.
- Collected only for valid purposes that we have clearly explained to you and not used in any way that is incompatible with those purposes.

- Relevant to the purposes we have told you about and limited only to those purposes.
- Accurate and kept up to date.
- Kept only as long as necessary for the purposes we have told you about.
- Kept and destroyed securely including ensuring that appropriate technical and security measures are in place to protect your personal data to protect personal data from loss, misuse, unauthorised access and disclosure.

What data do we process?

- Names, titles, and aliases, photographs.
 - Start date / leaving date
 - Contact details such as telephone numbers, addresses, and email addresses.
 - Where they are relevant to our legal obligations, or where you provide them to us, we may process information such as gender, age, date of birth, marital status, nationality, education/work history, academic/professional qualifications, employment details, hobbies, family composition, and dependants.
 - Non-financial identifiers such as passport numbers, driving licence numbers, vehicle registration numbers, taxpayer identification numbers, staff identification numbers, tax reference codes, and national insurance numbers.
 - Financial identifiers such as bank account numbers, payment card numbers, payment/transaction identifiers, policy numbers, and claim numbers.
 - Financial information such as National Insurance number, pay and pay records, tax code, tax and benefits contributions, expenses claimed.
 - Other operational personal data created, obtained, or otherwise processed in the course of carrying out our activities, including but not limited to, CCTV footage, recordings of telephone conversations, IP addresses and website visit histories, logs of visitors, and logs of accidents, injuries and insurance claims.
 - Next of kin and emergency contact information
 - Recruitment information (including copies of right to work documentation, references and other information included in a CV or cover letter or as part of the application process and referral source (e.g. agency, staff referral))
 - Location of employment or workplace.
-
- Other staff data (not covered above) including; level, performance management information, languages and proficiency; licences/certificates, immigration status; employment status; information for disciplinary and grievance proceedings; and personal biographies.
 - Information about your use of our information and communications systems.

We use your personal data for some or all of the following purposes: -

Please note: We need all the categories of personal data in the list above primarily to allow us to perform our contract with you and to enable us to comply with legal obligations.

- Making a decision about your recruitment or appointment.
- Determining the terms on which you work for us.
- Checking you are legally entitled to work in the UK.
- Paying you and, if you are an employee, deducting tax and National Insurance contributions.
- Providing any contractual benefits to you
- Liaising with your pension provider.
- Administering the contract we have entered into with you.
- Management and planning, including accounting and auditing.
- Conducting performance reviews, managing performance and determining performance requirements.
- Making decisions about salary reviews and compensation.
- Assessing qualifications for a particular job or task, including decisions about promotions.
- Conducting grievance or disciplinary proceedings.
- Making decisions about your continued employment or engagement.
- Making arrangements for the termination of our working relationship.
- Education, training and development requirements.
- Dealing with legal disputes involving you, including accidents at work.
- Ascertaining your fitness to work.
- Managing sickness absence.
- Complying with health and safety obligations.
- To prevent fraud.
- To monitor your use of our information and communication systems to ensure compliance with our IT policies.
- To ensure network and information security, including preventing unauthorised access to our computer and electronic communications systems and preventing malicious software distribution.
- To conduct data analytics studies to review and better understand employee retention and attrition rates.
- Equal opportunities monitoring.
- To undertake activity consistent with our statutory functions and powers including any delegated functions.
- To maintain our own accounts and records;
- To seek your views or comments;
- To process a job application;
- To administer councillors' interests
- To provide a reference.

Some of the above grounds for processing will overlap and there may be several grounds which justify our use of your personal data.

We will only use your personal data when the law allows us to. Most commonly, we will use your personal data in the following circumstances:

- Where we need to perform the contract we have entered into with you.
- Where we need to comply with a legal obligation.

We may also use your personal data in the following situations, which are likely to be rare:

- Where we need to protect your interests (or someone else's interests).
- Where it is needed in the public interest [or for official purposes].

How we use sensitive personal data

We may process sensitive personal data relating to staff, councillors and role holders including, as appropriate:

- information about your physical or mental health or condition in order to monitor sick leave and take decisions on your fitness for work;
- your racial or ethnic origin or religious or similar information in order to monitor compliance with equal opportunities legislation;
- in order to comply with legal requirements and obligations to third parties.

These types of data are described in the GDPR as "Special categories of data" and require higher levels of protection. We need to have further justification for collecting, storing and using this type of personal data. We may process special categories of personal data in the following circumstances:

- In limited circumstances, with your explicit written consent.
- Where we need to carry out our legal obligations.
- Where it is needed in the public interest, such as for equal opportunities monitoring or in relation to our pension scheme.
- Where it is needed to assess your working capacity on health grounds, subject to appropriate confidentiality safeguards.

Less commonly, we may process this type of personal data where it is needed in relation to legal claims or where it is needed to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.

Do we need your consent to process your sensitive personal data?

- We do not need your consent if we use your sensitive personal data in accordance with our rights and obligations in the field of employment and social security law.
- In limited circumstances, we may approach you for your written consent to allow us to process certain sensitive personal data. If we do so, we will provide you with full details of the personal data that we would like and the reason we need it, so that you can carefully consider whether you wish to consent.
- You should be aware that it is not a condition of your contract with us that you agree to any request for consent from us.

Information about criminal convictions

- We may only use personal data relating to criminal convictions where the law allows us to do so. This will usually be where such processing is necessary to carry out our obligations and provided we do so in line with our data protection policy.
- Less commonly, we may use personal data relating to criminal convictions where it is necessary in relation to legal claims, where it is necessary to protect your interests (or someone else's interests) and you are not capable of giving your consent, or where you have already made the information public.
- Where appropriate, we will collect personal data about criminal convictions as part of the recruitment process or we may be notified of such personal data directly by you in the course of you working for us.

What is the legal basis for processing your personal data?

Some of our processing is necessary for compliance with a legal obligation. We may also process data if it is necessary for the performance of a contract with you, or to take steps to enter into a contract. We will also process your data in order to assist you in fulfilling your role in the council including administrative support or if processing is necessary for compliance with a legal obligation.

Sharing your personal data

Your personal data will only be shared with third parties including other data controllers where it is necessary for the performance of the data controllers' tasks or where you first give us your prior consent. It is likely that we will need to share your data with:

- Our agents, suppliers and contractors. For example, we may ask a commercial provider to manage our HR/ payroll functions , or to maintain our database software;
- Other persons or organisations operating within local community.
- Other data controllers, such as local authorities, public authorities, central government and agencies such as HMRC and DVLA
- Staff pension providers
- Former and prospective employers
- DBS services suppliers
- Payroll services providers
- Recruitment Agencies
- Credit reference agencies
- Professional advisors
- Trade unions or employee representatives

How long do we keep your personal data?

We will keep some records permanently if we are legally required to do so.

We may keep some other records for an extended period of time. For example, it is currently best practice to keep financial records for a minimum period of 8 years to support HMRC audits or provide tax information.

We may have legal obligations to retain some data in connection with our statutory obligations as a public authority.

The council is permitted to retain data in order to defend or pursue claims. In some cases the law imposes a time limit for such claims (for example 3 years for personal injury claims or 6 years for contract claims). We will retain some personal data for this purpose as long as we believe it is necessary to be able to defend or pursue a claim.

In general, we will endeavour to keep data only for as long as we need it. This means that we will delete it when it is no longer needed.

Your responsibilities

It is important that the personal data we hold about you is accurate and current. Please keep us informed if your personal data changes during your working relationship with us.

Your rights in connection with your personal data

You have the following rights with respect to your personal data: -
When exercising any of the rights listed below, in order to process your request, we may need to verify your identity for your security. In such cases we will need you to respond with proof of your identity before you can exercise these rights.

1: The right to access personal data we hold on you

- At any point you can contact us to request the personal data we hold on you as well as why we have that personal data, who has access to the personal data and where we obtained the personal data from. Once we have received your request we will respond within one month.
- There are no fees or charges for the first request but additional requests for the same personal data or requests which are manifestly unfounded or excessive may be subject to an administrative fee

2. *The right to correct and update the personal data we hold on you*

- If the data we hold on you is out of date, incomplete or incorrect, you can inform us and your data will be updated.

3. The right to have your personal data erased

- If you feel that we should no longer be using your personal data or that we are unlawfully using your personal data, you can request that we erase the personal data we hold.
- When we receive your request we will confirm whether the personal data has been deleted or the reason why it cannot be deleted (for example because we need it for to comply with a legal obligation).

4. The right to object to processing of your personal data or to restrict it to certain purposes only

- You have the right to request that we stop processing your personal data or ask us to restrict processing. Upon receiving the request we will contact you and let you know if we are able to comply or if we have a legal obligation to continue to process your data.

5. The right to data portability

- You have the right to request that we transfer some of your data to another controller. We will comply with your request, where it is feasible to do so, within one month of receiving your request.

6. The right to withdraw your consent to the processing at any time for any processing of data to which consent was obtained

- You can withdraw your consent easily by telephone, email, or by post (see Contact Details below).

7. The right to lodge a complaint with the Information Commissioner's Office.

- You can contact the Information Commissioners Office directly. Please see the contact details below

Transfer of data abroad

Any personal data transferred to countries or territories outside the European Economic Area (“EEA”) will only be placed on systems complying with measures giving equivalent protection of personal rights either through international agreements or contracts approved by the European Union.

Our website is accessible from overseas so on occasion some personal data (for example in a newsletter) may be accessed from anywhere in the world.

Further processing

If we wish to use your personal data for a new purpose, not covered by this Privacy Notice, then we will provide you with a new notice explaining this new use prior to commencing the processing and setting out the relevant purposes and processing conditions. Where and whenever necessary, we will seek your prior consent to the new processing, if we start to use your personal data for a purpose not mentioned in this notice.

Changes to this notice

We keep this Privacy Notice under regular review and we will place any updates on the Council Information page of the Stutton cum Hazlewood Parish Council website.

Contact Details

Please contact us if you have any questions about this Privacy Notice or the personal data we hold about you or to exercise all relevant rights, queries or complaints.

via email: [clerkstuttonpc@gmail.com]

by telephone [**07796 544 404**]

or by letter

Gill Kitchen

6 Wood Lane

Thorpe Willoughby

Selby

YO8 9PT

Or the Chair [dfbirchall@btinternet.com]

Or the Deputy Chair [pspurrier@sky.com] in the Chair's absence

and/or you can contact the **Information Commissioners Office (ICO)**

via email [casework@ico.org.uk] or [<https://ico.org.uk/global/contact-us/email/>]

or telephone: [**0303 123 1113**]

or by post

[**The Information Commissioner's Office,**

Wycliffe House,

Water Lane,

Wilmslow,

Cheshire

SK9 5AF]

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.iv.
- 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 the Stutton cum Hazlewood Parish Council held on [date] in respect of () 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. **Whilst the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f. Subject to the publication of draft minutes in accordance with Standing Order 12(e) and 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.

13: Code Of Conduct And Dispensations

See also Standing Order 3(u).

- a. All councillors shall observe the code of conduct adopted by the Council.
- b. Unless he has been granted a dispensation, a councillor 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 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 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. **A dispensation may be granted in accordance with Standing Order 13(e) if having regard to all relevant circumstances any of the following apply:**
 - 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;**
 - 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.** e.g. if the meeting would become inquorate;

14: Code Of Conduct Complaints

- a. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Council.
- b. Where the notification in Standing Order 14(a) 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).
- 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.
- d. **Upon notification by the District or County Council that a councillor 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) such other person appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.
- b. The Proper Officer or the person appointed to act as such during the Proper Officer's absence shall:
 - i. **at least three clear days before a meeting of the council,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed**

summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and

- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

See Standing Order 3(b) for the meaning of clear days for a meeting of a full council

ii. subject to Standing Order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 24 hours before the meeting confirming his withdrawal of it;

iii. convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;

iv. facilitate inspection of the minute book by local government electors;

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. liaise, as appropriate, with the PC's Data Protection Officer if one has been appointed;

x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

xi. 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 data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

- xii. arrange for legal deeds to be executed (*see also Standing Order 21*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its 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. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xvi. manage access to information about the Council via the publication scheme.

16: Responsible Financial Officer

- a. The Responsible Financial Officer shall be either (i) the Clerk or (ii) such other person appointed by the Council to undertake the role of the Responsible Financial Officer during the Responsible Financial Officer's absence.

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".
- 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 which shall be reviewed at least annually.
- c. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;

- ii. the Council's aggregate receipts and payments (or income and expenditure) 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 (or income and expenditure) for the last quarter and the year to date for information; and
 - i. to the Council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability 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 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 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. whether contracts with an estimated value below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in Standing Order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- 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. an invitation to tender shall be advertised in manner that is appropriate including (but not exclusively nor inclusively) a notice on the Village Hall noticeboard, a notice on the Parish Council website, and posts in relevant social media or any other manner that is deemed appropriate by the Council;
 - 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. The Council is not bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

19: Handling Staff Matters

- a. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to Standing Order 3(d) above.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.
- c. The Chairman, or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the employee in

question and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Council.

- d. In the event of a formal or informal grievance being raised by an employee, this shall be notified to the Chairman of the Council (or in his absence the Vice-Chairman) who shall report such matter to the Council or a subcommittee appointed to consider such matters.
- e. If the grievance in question related to the Chairman of the Council, the matter shall be notified to the Vice Chairman and reported to the Council or any subcommittee appointed to consider such matters.
- f. Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
 - i. Only persons with line management or payroll administration responsibilities shall have access to employee records referred to in Standing Orders 19(g) and (h) above and only if so justified.
 - ii. Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 19(g) and (h) above shall be provided only to the Proper Officer and/or the Chairman of the Council.

20: Relations with the Press/Media companies

- a. All requests from the press or other media for an oral or written statement or comment from the Council shall be agreed by resolution at an ordinary or extra-ordinary Council meeting.
- b. Unless duly authorised councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

21: Execution of Legal Deeds

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b. Subject to Standing Order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

22: Communicating with District and County 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 and County Council shall be sent to the ward councillor(s) representing the area of the Council.

23: 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.

24: 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 two 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 new councillor as soon as possible.
- d. The decision of the chairman of a meeting as to the application of Standing Orders at the meeting shall be final.
- e. A councillor's failure to observe Standing Orders more than 3 times in one meeting may result in his being excluded from the meeting in accordance with Standing Orders.