

**BRADENHAM PARISH COUNCIL adopted the MODEL
STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL
2022 at its meeting 15th July 2024**

National Association of Local Councils (NALC)
109 Great Russell Street
London
WC1B 3LD

020 7637 1865 | nalc@nalc.gov.uk | www.nalc.gov.uk

© NALC 2022. All rights are reserved.

No part of this publication may be reproduced or used for commercial purposes without the written permission of NALC save those councils in membership of NALC have permission to edit and use the model standing orders in this publication for their governance purposes.

| | |
|--|-----------|
| Introduction | 3 |
| Rules of debate at meetings | 4 |
| Disorderly conduct at meetings | 4 |
| Meetings generally | 4 |
| Committees and sub-committees | 6 |
| Ordinary council meetings | 6 |
| Extraordinary meetings of the council, committees and sub-committees | 8 |
| Previous resolutions | 8 |
| Motions for a meeting that require written notice to be given to the proper officer | 8 |
| Motions at a meeting that do not require written notice | 10 |
| Management of information | 10 |
| Draft minutes | 10 |
| Code of conduct and dispensations | 10 |
| Proper officer | 11 |
| Responsible financial officer | 13 |
| Accounting and accounting statements | 13 |
| Financial controls and procurement | 14 |
| Handling staff matters | 15 |
| Responsibilities to provide information | 15 |
| Responsibilities under data protection legislation | 16 |
| Relations with press/media | 16 |
| Execution and sealing of legal deeds | 16 |
| Communicating with unitary councillors | 16 |
| Restrictions on councillor activities | 17 |
| Standing orders generally | 17 |

INTRODUCTION

This is the amended and shortened version two of Model Standing Orders 2018 (England) updated on April 2022 by NALC by Bradenham parish council July 2024. Contains all the statutory elements relevant to a small parish council with a turnover <£25,000.

How to use model standing orders

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

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

Drafting notes

For convenience, the word "councillor" is used in standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.
- b A point of order shall be decided by the chair of the meeting and his/her/their decision shall be final.
- c Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his/her/their right of reply.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

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 A question shall not require a response at the meeting nor start a debate on the question. The chair of the meeting may direct that a written or oral response be given.
- f A person who speaks at a meeting shall direct his/her/their comments to the chair of the meeting.
- g Only one person is permitted to speak at a time. If more than one person wants to speak, the chair of the meeting shall direct the order of speaking.
- h **Subject to standing order 3(i), 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.**
- i A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- j 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.
- k **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
- l **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- m **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- n **The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her/their casting vote whether or not he/she/they gave an original**

vote.

- o 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/her/their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

- p 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/her/their right to participate and vote on that matter.**

- q 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**

- r If a meeting is or becomes inquorate no business shall be transacted**

4. COMMITTEES AND SUB-COMMITTEES

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

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

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

5. ORDINARY COUNCIL MEETINGS

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**

- b In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**

- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, 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 Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j **Following the election of Chair of the Council and Vice-Chair of the Council at the annual meeting, the business shall include:**
 - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their acceptance of office form unless the Council resolves for this to be done at a later date;**

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

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

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

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

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least (7) 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 (5) 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 chair of the forthcoming meeting or, as the

case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

9. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- i. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- ii. to not hear further from a councillor or a member of the public;
- iii. to exclude a councillor or member of the public for disorderly conduct;
- iv. to temporarily suspend the meeting;
- v. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- vi. to adjourn the meeting; or
- vii. to close the meeting.

10. MANAGEMENT OF INFORMATION

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or**

personal data without legal justification.

- d **Councillors, staff, the Council’s contractors and agents shall not disclose confidential information or personal data without legal justification.**

11. 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.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e **If 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.**

12. CODE OF CONDUCT AND DISPENSATIONS

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she/they 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/she/they has a disclosable pecuniary interest. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.
- c Unless he/she/they 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/she/they has another interest if so required by the Council’s code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.

- d **Dispensation requests shall be in writing and submitted to the Proper Officer.**
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer 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), a dispensation request 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.
- h **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.**

13. CODE OF CONDUCT COMPLAINTS

- a **Upon notification by the District or Unitary 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,**
 - **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).**
 - ii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
 - iii. **facilitate inspection of the minute book by local government electors;**
 - iv. **receive and retain copies of byelaws made by other local authorities;**
 - v. hold acceptance of office forms from councillors;
 - vi. hold a copy of every councillor's register of interests;
 - vii. 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;
 - viii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - ix. 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);
 - x. arrange for legal deeds to be executed;
(see also *standing order 23*);
 - xi. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xii. refer a planning application received by the Council to the Council's Planning Lead or in his/her/their absence the Chair of the Council] within two 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;

- xiii. manage access to information about the Council via the publication scheme; and
- xiv. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(see also *standing order 23*).

14. RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint appropriate the clerk to undertake the work of the Responsible Financial Officer..

15. 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.
- c The Responsible Financial Officer shall supply to each councillor at each ordinary meeting in each year a statement to summarise:
 - i. the Council’s receipts and payments (or income and expenditure) for the period since the last meeting;
 - 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 period since the last meeting.
- 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 tte year to date for information; and
 - ii. 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 5 days prior to anticipated approval by the

Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

16. 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 an annual report from the internal auditor;
 - 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 referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

17. 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.
- b Subject to the Council's policy regarding absences from work, the Council's clerk shall notify the chair or, if he/she/they is not available, the vice-chair of absence occasioned by illness or other reason and that person shall report such absence to Council by email.
- c The chair or in his/her/their absence, the vice-chair shall upon a resolution conduct a review of the performance and annual appraisal of the work of clerk. The reviews and appraisal shall be reported.
- d Subject to the Council's policy regarding the handling of grievance matters, the clerk shall contact the chair or in his/her/their absence, the vice-chair 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 chair or vice-chair, 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 as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

18. RESPONSIBILITIES TO PROVIDE INFORMATION

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b *[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 (Transparency Requirements) (England) Regulations 2015.**

19. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 11.

- a **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.**
- b **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c **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.**
- d **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.**
- e **The Council shall maintain a written record of its processing activities.**

20. 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.

21. EXECUTION AND SEALING OF LEGAL DEEDS

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

[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.]

The above is applicable to a Council without a common seal.

22. COMMUNICATING WITH UNITARY 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 Unitary Council representing the area of the Council.

23. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless duly authorised no councillor shall:
 - i. 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 The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- c The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.