

# **INGLEBY** **GREENHOW**

## **PARISH COUNCIL**

# **STANDING ORDERS** **JUNE 2021**

*Ingleby Greenhow Parish Council has developed these Standing Orders in line with the Model Standing Orders for Local Councils which are contained within the NALC Booklet: "Standing Orders and Chairmanship for Local Councils".*

### **DOCUMENT VERSION CONTROL**

First issue of Standing Order approved by the Parish Council at its meeting on 09.10.00.

Delegation of authority paragraph approved 15.02.02.

Code of Practice on Complaints approved at meeting 15.02.02

Amendments arising from revised NALC Model Standing Orders (April 2002), the new Code of Conduct changes to the number of authorised cheque signatories and the paragraph concerning Race Relations approved by the Parish Council at its meeting 21.10.02.

Change to Code of practice for Complaints following new NALC Legal Topic Notice amendment to the NALC model standing Orders (July 2003) regarding public participation and rights of participation for a Councillors. With prejudicial interest approved at its meeting 29.01.08.

Amendment relating to the new Code of Conduct which was adopted by the Council on 08.08.2012. 08.05.2018. 02.09.20.

Amendment to Standing Orders which was adopted by the Council at its meeting 08.08.2012

Amendment to Standing Orders which was adopted by the Council at its meeting 09.06.2015.

Amendment to Standing Orders which was adopted by the Council at its meeting 12.06.2018.

Amendment to Standing Orders which was adopted by the Council at its meeting 02.09.20

Amendment to Standing Orders which was adopted by the Council at its meeting 08.06.21

## **INDEX**

1. Times and Dates of meetings	P4
2. Voting	P4
3. Order of Business	P4
4. Business of Parish Council	P4
5. Resolutions moved on notice	P5
6. Disorderly Conduct.	P5
7. Parish Council Discussion	P6
8. Declarations of Interest	P6
9. Exclusion of the Press and Public	P7
10. Accounting	P7
11. Internet Banking	P8
12. Estimates and precepts.	P8
13. Admission of the Public and Press to meetings.	P8
14. Public Participation.	P9
15. Financial Matters.	P9
16. Paragraphs in addition to those in the Model Standing Orders	P10
17. Code of Practice for Complaints	P11

## **1. Times and Dates of Meetings**

### **a. Parish Council Meetings**

Meetings of the Council shall be held once a month in Ingleby Greenhow and Easby village hall at 7.30pm, except in August and December; unless the Council decides otherwise at a previous meeting, or if exceptional circumstances preclude a meeting taking place.

### **b. Annual Parish Assembly meeting of the Parish Council.**

- i. The statutory annual meeting of the Parish Council shall be held in May in Ingleby Greenhow and Easby village hall at 7.30pm; date to be decided at the previous meeting.
- ii. In an election year, the meeting must be held on or within 14 days following the day on which an elected Councillor takes office.
- iii. Three Members shall constitute a quorum at meeting of the Council.

## **2. Voting**

- a. Members shall vote by show of hands, or if at least two Members so request, by signed ballot.
- b. If a Member so requires, the Clerk shall record the names of the members who voted on any question indicating whether they voted for or against it. Such a request must be made before moving on to the next business.
- c. The Chairperson may give an original vote on any matter put to the vote, and in the event of an equality of votes may give a casting vote, whether or not he gave an original vote.

## **3. Order of Business**

- a. At the Parish Council monthly meeting held immediately after the Annual Parish Council meeting, the first order of business shall be to elect a Chairperson of the Council and to receive the Chairperson's declaration of acceptance of Office or to decide when it shall be received.
- b. In the ordinary year of election of the Council, the next order of business should be to fill any vacancies left unfilled at the election by reason of insufficient nominations and to decide when any outstanding declarations of acceptance of Office (which have not been received as provided by law) shall be received.

## **4. Business of the Parish Council**

- a. Review arrangement for insurance cover
- b. Review Council Memberships

- c. Review Standing Orders
- d. Review Risk Management
- e. Review Financial Regulations
- f. Review Clerk Salary
- g. Review Parish Caretaker details
- h. Set Dates and Times of meetings for the year.

## **5. Resolutions moved on notice**

Except as provided by standing Orders, no resolution may be moved unless the business which it relates had been included in the Agenda by the Clerk or the 'mover' has given notice in writing of its terms and has delivered the notice to the Clerk not later than Wednesday in the week prior to the next meeting of the Council.

## **6. Disorderly Conduct**

- a. All Members must observe the IGPC Code of Conduct.
- b. No Member shall persistently disregard the ruling of the Chairperson, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- c. If in the opinion of the Chairperson, a member has broken the provisions of Para (b) the Chairperson shall express that opinion to the Council.
- d. Thereafter any Member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded shall be enacted forthwith and without discussion.
- e. If either of the motions mentioned in Para (c) is disobeyed, the Chairperson may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## **7. Parish Council Discussion**

- a. The rules of the debate as set out in Ingleby Greenhow Parish Council Standing orders will apply.
- b. The Chairperson will ask each Councillor, in turn, whether they wish to contribute to the discussion.
- c. After each Councillor has been heard, the Chairperson will call for a proposal on the item of business to be transacted by a Councillors present (Councillors to state their name prior to making the proposal)
- d. Once a proposal is moved, if required, the Chairperson will call for the proposal to be seconded by one of the Councillors presents (Councillors to state their name prior to speaking).
- e. The Chairperson will request any amendments to said proposal from each Councillor present prior to moving to a vote on that proposal.

## **8. Declarations of Interest**

- a. All Councillors with voting rights who have a disclosable pecuniary interest, or another interest as set out in the Parish Council Code of Conduct in a matter being considered at the meeting is subject to statutory limitations under the Code of Conduct on his/her right to participate and vote on that matter. The Councillors may leave the room and return when that item of business has been discussed.
- b. Should a councillor identify that he/she has an Interest a matter to be considered, he/she shall declare such an interest either at the beginning of the parish meeting or as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- c. In accordance with NALC Standing Order 70B, at all meetings of the Parish Council, the Chairperson may permit Members of the Council (including co-opted members as defined by S49 (7) Local Govt. Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct, which was adopted by the Council on 9<sup>th</sup> June 2015, 8<sup>th</sup> May 2018, 11<sup>th</sup> February 20 shall apply to members of the Council in respect of the entire meeting.
- d. The new Model Standing Orders and the new rights of participation for a Councillor with a prejudicial interest who is entitled to benefit from Para 12 (2) of the Code of Conduct shall not affect the Parish Council's right to exclude the public from a meeting of the Council whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reason stated in the resolution (s.1.(2) Public Bodies (admission to Meeting (Act 12) of the Code of Conduct a Councillor with a prejudicial interest in business being transacted in closed session, must leave the meeting as soon as the interest becomes apparent neither they nor a member of the public would be entitled to make representations answer questions or give evidence.
- e. The Clerk is required to compile and hold a Register of Member's interests or copy thereof, in accordance with the agreement reached with the Monitoring Officer of Hambleton District Council and as required by statute.

## **9. Exclusion of the Press and Public**

- a. All meetings of the Council must be available for the press and the public to attend. The Parish Council may resolve to exclude the press and public from a meeting or part of a meeting. Due to publicity of the matter being prejudicial to the public interest, by reason of the confidential nature of the business to be transacted or for other special reasons.
- b. The Parish Council needs to ensure that the press and public cannot hear or see the proceedings.
- c. In remote meetings once the Parish Council has resolved to exclude the press and public from the meeting the host (Parish Clerk) will remove the Members of press and public from the meeting.

- d. It is advisable to place all matters which may require consideration after exclusion of the press and public at the end of the meeting. All such matters must be specified on the agenda and be minuted.

## **10. Accounting**

### **a. Expenditure**

Orders for payment of money shall be authorised by resolution of the Council and signed by two Parish Councillors.

### **b. Accounts and Financial Statement**

- i. All accounts for payments and claims upon the Council shall be laid before the Council by the RFO. Cheques shall be signed by two Councillors or one Councillor and Parish Clerk/Responsible Officer from the list of authorised cheque signatories as amended from time to time and notified to the HSBC Bank PO Box 60 Albert Road Middlesbrough TS11RS.
- ii. This list shall always include the Chairperson and Vice-Chairperson.
- iii. Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk/Responsible Officer. Such payment shall be authorised by the Clerk/Responsible Officer with the approval of the Chairperson and Vice Chairperson of the Council and signed by two authorised signatories.
- iv. Cheques are only to be issued on presentation of an Invoice.
- v. Receipts must be obtained for all expenditure.
- vi. Payments made are reported at the next Parish Council meeting.
- vii. The Clerk as Responsible Financial Officer shall keep the accounts of the Parish Council in accordance with the latest Accounts and Audit regulations and following the advice, where appropriate, given in current edition of the "Governance and Accountability in Local Councils in England and Wales A practitioners Guide". A Councillor is to be appointed at the Annual Assembly meeting to undertake the internal control measure throughout the year as set out in the Council Financial Risk Management Policy. The Council has established a system of a 3 monthly internal control measures and set criteria for the appointed Councillor(s) to work to.
- viii. The Clerk shall supply to each member as soon as practicable after 31<sup>st</sup> March, a financial statement prepared on the appropriate accounting basis (receipts and payments) for the year to 31<sup>st</sup> March.
- ix. The statement of accounts of the Parish Council (which is subject to external audit) shall be presented to Council for formal approved prior to the date it is due for submission to the Audit Commission.

## **11. Internet Banking**

- a. The Parish Clerk will be the primary user for internet banking.
- b. BACS payment will be limited to £500.
- c. Card payments will be limited £200.
- d. Internet Banking transactions shall be subject to 3 monthly internal control measures.

## **12. Estimates and Precepts**

The Council shall approve a budget plan for the coming financial year at its meeting in November this is so the Precept can be set for the following financial year.

## **13. Admission of the Public and Press to Meetings**

- a. The public and press shall be admitted to all meetings of the Parish Council and its committees and sub-committee. However temporarily exclude the public and press by means of the following resolutions that in view of the special confidential nature of the business about to be transacted it is advisable in the public interest that the press and public be temporarily excluded, and they are instructed to withdraw.
- b. The Council shall state the special reason for exclusion.
- c. The press shall be provided reasonable facilities for taking of their report of all or part of a meeting at which they are entitled to be present.
- d. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent.

## **14. Public Participation**

- a. At all meetings of the Parish Council, the Chairperson may at his/her discretion and at a convenient time in the transaction of the business, allow any Members of the public to address the meeting in relation to the business to be transacted.
- b. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 9th June 2015, 8<sup>th</sup> May 2018 and 11<sup>th</sup> February 2020 shall apply to Members of the Council who exercise their rights pursuant to NALC Model SO70B below, members of the public shall be allowed to attend the meeting to (a) make representation, (b) answer questions or (c) give evidence relating to the business to be transacted.
- c. At all meetings of the Parish Council, the Chairperson may permit members of the Council (including co-opted members as defined by s 49 (7) Local Govt. Act 2000 who have prejudicial interest in relation to any item of business to be transacted at

that meeting to (a) make representations (b) answer questions or (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 9<sup>th</sup> June 2015, 8<sup>th</sup> May 2018 and 11<sup>th</sup> February 20 shall apply to Members of the Council in respect of the entire meeting.

- d. The length of the public participation sessions and the length of time per speaker are subject to the discretion of the Chairperson, but should not normally exceed a total of 15 minutes per meeting

## **15. Financial Matters**

- a. The Council shall consider and approve Financial Regulations drawn up by the Clerk as Responsible Financial Officer. These Financial regulations shall be subject to regular review at least once every three years. Such Regulations shall include detailed arrangement for the following:
  - i. the accounting records and systems of internal control.
  - ii. the assessment and management of risks faced by the Council.
  - iii. the work of the Internal Auditor and the receipt of regular reports from the internal audits which shall be required at least annually (before the May meeting)
  - iv. Procurement policies subject to the rules below including the setting of value less than £50,000.
- b. The Parish Council will adhere to best practice in relation to the appointment of suppliers by asking for 3 quotes for work over £1500. Work estimated to be over £4000 will go through a formal tendering process as summarised in 77 (3) in the NALC Model Standing Orders. All Contractor's will be appointed based on VRM and quality criteria.

## **16. Paragraphs in addition to those in the Model Standing Orders**

### **a. Delegation of Authority**

Where it is necessary between meetings, or during a recess of the Parish Council, to decide on a planning matter or any other function, the Council delegates authority to the Clerk, under the Local Government Act 1972, section 101 to take action on the Council's behalf following consultation with an agreement by at least three Councillors, including, if possible, the Chairperson and two other Parish Councillors.

### **b. Race Relations**

Ingleby Greenhow Parish Council acknowledges the general duty placed upon it by the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000. The Council will in its functions and policies have due regard to the need to eliminate unlawful Racial discrimination and to promote equality of opportunity and good relations between people of different racial groups.

## 17. Code of Practice for Complaints

Complaints about an employee of the Council, for example the Clerk, should be dealt with as an employment matter. The Complainant is assured that the matter will be dealt with internally and appropriate action taken as required.

All complaints regarding the ethical conduct of Councillors in relation to the Code of Conduct for Parish and Town Councils must, in the first instance, be addressed to the Monitoring Officer of Hambleton Council.

The Code of Practice below is aimed at those situations where a complaint has been made about the administration of the Council or its procedures **and is not a forum for a complaint against individuals.**

### a. Before the Meeting

- i. The Complainant should be asked to put the complaint about the Council's procedures or administration in writing to the Clerk. If the Complainant does not wish to put the complaint to the Clerk, they may be advised to put it to the Chairperson of the Council. The Clerk shall acknowledge receipt of the complaint within 14 days and advise the Complainant when the matter will be considered by the Council, normally within 8 weeks. The Complainant shall be invited to attend the relevant meeting and bring with them no more than two representatives if they so wish.
- ii. Seven clear working days prior to the meeting, the Complainant shall provide the Council with copies of any documentation or other evidence that they wish to refer to at the meeting. The Council shall similarly provide the Complainant with copies of any documentation upon which they wish to rely at the meeting.

### b. At the Meeting

- i. The Council shall consider whether the circumstances attending any complaint warrant the matters being discussed in the absence of the press and public, but any decision on a complaint shall be announced at the Council meeting in public.
- ii. The Chairman should introduce everyone and explain the format/process of the meeting.
- iii. The Complainant (or his/her representative) should then outline the grounds for complaint.
- iv. Members to ask any questions of the Complainant.
- v. If relevant, the Clerk to explain the Council's position.
- vi. Members to ask any questions of the Clerk.
- vii. Clerk and Complainant to be offered an opportunity of a last word (in this order).
- viii. Clerk and Complainant to be asked to leave the room while Members decide whether or not the grounds for the complaint have been made. If a point of clarification is necessary, both parties to be invited back.

- ix. Clerk and Complainant return to hear the decision or to be advised when the decision will be made.

**c. After the Meeting**

Decision confirmed in writing within seven working days together with details of any action to be taken.

Approved June 2018 and reviewed and amended September 2020 and 8 June 2021

