



'Committed to Improving the Quality of Life in North Hykeham'

North Hykeham Town Council

Standing Orders

1. MEETINGS

- a **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.**
- b **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.**
- c **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.**
- d Meetings of the Council shall normally be held in the Civic Offices, Fen Lane, North Hykeham.
- e **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.**
- f Subject to standing order (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.
- g The period of time designated for public participation at a meeting shall not exceed fifteen minutes prior to the formal commencement of the meeting unless directed by the Chairman of the meeting.
- h In accordance with standing order (g) 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 Councillor shall raise his/her hand when requesting to speak and wait for the Chairman to acknowledge before speaking. All comments should be directed to the Chairman of the meeting.

- j 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.
 - k **Subject to standing order 1 (l), 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.**
 - l **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
 - m **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
 - n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in his/her absence be done by, to or before the Deputy Mayor of the Council.**
 - o **The Mayor, if present, shall preside at a Town Council meeting. If the Mayor is absent from a meeting, the Deputy Mayor if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the Town Council meeting.**
 - p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors and non-Councillors with voting rights present and voting.**
 - q **The 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/her casting vote whether or not he/she gave an original vote.**
- See standing orders 2 (g) and (h) for the different rules that apply in the election of the Mayor at the Annual meeting of the Council.*
- r **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of two Councillors, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
 - s If the Chairman and Vice Chairman of the Committee are not in attendance the person presiding at a meeting may exercise all the powers and duties of

the Chairman in relation to the conduct of the meeting.

- 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;
 - iii. interests that have been declared by Members with voting rights;
 - iv. the grant of dispensations (if any) to Members with voting rights;
 - v. whether a Member with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u **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 right to participate and vote on that matter.**
- v **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- See standing order 5 (d viii) for the quorum of a Committee or Sub-Committee meeting.*
- 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 A meeting shall not exceed a period of two hours unless a vote to extend the meeting is passed by those present for a maximum of fifteen minutes.

2. ANNUAL COUNCIL MEETINGS

- a **In an election year, the Annual meeting of the Council shall be held on or within fourteen 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 7pm.**

- d **The first business conducted at the Annual meeting of the Council shall be the election of the Mayor and Deputy Mayor of the Council.**
- e **The Mayor, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the Annual meeting until his/her successor is elected at the next Annual meeting of the Council.**
- f **The Deputy Mayor, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next Annual meeting of the Council.**
- g **In an election year, if the current Mayor has not been re-elected as a member of the Council, he/she shall preside at the Annual meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but shall give a casting vote in the case of an equality of votes.**
- h **In an election year, if the current Mayor has been re-elected as a member of the Council, he/she shall preside at the Annual meeting until a new Mayor has been elected. He/she may exercise an original vote in respect of the election of the new Mayor and shall give a casting vote in the case of an equality of votes.**
- i In a non election year, the Deputy Mayor from the previous year, will take the position of Mayor if he/she wishes and has a proposer and seconder in attendance. Should the Deputy Mayor not wish to accept the position, nominations would be welcome from other Councillors. The nomination would require a proposer and seconder in attendance at that meeting. Should there be more than one Councillor nominated this would move to a vote.
- j To fill any vacancies left unfilled at the election by reason of insufficient nominations the Representation of the People Act 1985, s21 allows the elected members, provided there is a quorum to co-opt members to fill the remaining vacancies see the Co -option Policy. If the Council fails to exercise the power to co-opt within seven weeks (35 days computed under s4 of the Act) or if there is no quorum, the District Council may order a fresh election to properly constitute the Council.
- k Following the election of the Mayor and Deputy Mayor at the Annual meeting, the business shall include:
 - i. **In an election year, delivery by the Mayor, Deputy Mayor 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 Mayor of his/her 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. Receipt of the minutes of the last meeting of a Committee;
- iv. Ratification of the terms of reference for and the membership of statutory committees (including the Chairman of Finance & Policy Committee);
- v. Appointment of members to statutory Committees;
- vi. Ratify appropriate standing orders and financial regulations;
- vii. Review of representation on or work with external bodies and arrangements for reporting back;
- viii. 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;
- ix. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation.

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

- a **The Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor 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 statutory public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.**
- c The Chairman of a Committee or a Sub-Committee may convene an extraordinary meeting of the Committee at any time.
- d If the Chairman of a Committee or a Sub-Committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the Committee or the Sub-Committee, any two members of the Committee or the Sub-Committee may convene an extraordinary meeting of the Committee or a Sub-Committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by two Councillors.

4. **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/her 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 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.
- 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.
- 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/she 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/she considers has been breached or specify the other irregularity in the proceedings of the meeting he/she is concerned by.
- q A point of order shall be decided by the Chairman of the meeting and his/her decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a Committee or Sub-Committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the 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/her right of reply.
- t The contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the Chairman of the meeting.

5. 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 shall be between six and twelve members and may include non-Councillors unless it is a Committee which**

regulates and controls the finances of the Council.

- c **Unless the Council determines otherwise, all the members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**
- d The Council may appoint Committees or Sub Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the meetings of a Committee up until the date of the next Annual meeting of the Council;
 - iii. shall permit a Committee, other than in respect of the meetings of a Committee, to determine the number and time of its meetings;
 - iv. shall appoint and determine the terms of office of members of such a Committee;
 - v. appoint and determine the terms of office of the substitute members to a Committee whose role is to replace the ordinary members at a meeting of a Committee if the ordinary members of the Committee confirm to the Proper Officer before the meeting that they are unable to attend. The substitute has full voting rights on the Committee for that meeting;
 - vi. shall, after it has appointed the members of a Committee, appoint the Chairman of the Committee;
 - vii. shall permit a Sub-Committee, to appoint its own Chairman and Vice Chairman at the first meeting of the Sub-Committee who shall hold office until the next Annual Town Council meeting;
 - viii. shall determine the place, notice requirements and quorum for a meeting of a Committee and a Sub-Committee which, in both cases, shall be no less than three;
 - ix. shall determine if the public may participate at a meeting of a Committee;
 - x. shall determine if the public and press are permitted to attend the meetings of a Sub-Committee and also the advance public notice requirements, if any, required for the meetings of a Sub-Committee;
 - xi. shall determine if the public may participate at a meeting of a Sub-Committee that they are permitted to attend; and
 - xii. may dissolve a Committee or a Sub-Committee or alter the membership of Committee.
- e Every Committee may appoint Working Groups for purposes to be specified by the Committee. A Working Group may co-opt others (see Co-Option Policy) to help it to progress business to a point where a report is brought to Council for a

decision. A Working Group cannot make decisions that are binding upon the Council.

- f The Hykeham Planning Committee is a joint Committee with up to eight representatives from NHTC and up to four representatives from South Hykeham Parish Council. The Committee agreed to adopt certain elements of SHPC standing orders, namely:
 - 1. *Rules of debate at meetings* – section q not required (a point of order shall be decided by the Chairman of the meeting and his/her decision shall be final).
 - 2. *Disorderly conduct at meetings*
 - 3. *Meetings generally*
 - 10. *Motions at a meeting that do not require written notice*
 - 11. *Handling confidential or sensitive information*
 - 12. *Draft minutes*

6. **FINANCE AND POLICY COMMITTEE**

- a Standing order 5 applies with the exception of clause c.
- b Membership of the Finance & Policy Committee will be the Mayor and Deputy Mayor and at least one member of each Statutory Committee who will normally be the Chairman. The Statutory Committee membership of Finance & Policy Committee will be decided at the first meeting of each Statutory Committee.
- c The Chairman of Finance & Policy shall be elected at the first Annual Town Council Meeting after the ordinary elections and will hold office until the next ordinary Council elections.
- d A motion to remove the existing Chairman of the Finance & Policy Committee can be put to full Council if a request is signed by the majority of all Councillors. This written motion will be passed provided there is a majority vote at the Council meeting. At the same meeting a new Chairman can be elected for the remainder of the duration of office.
- e The remaining members of Finance & Policy Committee will be voted upon at the Annual Town Council or Full Town Council meeting when the number of Statutory Committees has been resolved.
- f Any changes to Standing Orders and Council Policies must be first submitted to Finance & Policy for consideration. Discussions will take place at the next Finance & Policy Committee meeting with a recommendation “To Accept”, “To Accept with amendment”, or “To Refuse” to the following Full Town Council meeting.
- g Personnel Sub Committee is responsible for making decisions about all staffing matters, subject to budget and expenditure limits decided by the Finance & Policy Committee. The Council agreed:
 - i. Chairman - Chairman of Finance & Policy will be Chairman of this Sub-Committee and hold office until the next ordinary elections.

- ii. Membership – this Committee will comprise of four elected members and the Chairman who will hold office until the next ordinary Council elections.
- iii. Terms of Reference:
 1. To establish and keep under review the staffing structure.
 2. To draft, implement, review, monitor and revise policies for staff.
 3. To establish and review salary pay scales for all categories of staff and to be responsible for their administration and review.
 4. To oversee the recruitment and appointment of staff.
 5. To arrange execution of new employment contracts and changes to contracts.
 6. To establish and review performance management (including annual appraisals) and staff training programmes for staff.
 7. To oversee any process leading to dismissal of staff (including redundancy).
 8. To keep under review staff working conditions, and health and safety matters.
 9. To monitor and address regular or sustained staff absence.
 10. To make recommendations on staffing related expenditure to the Finance Committee.
 11. To consider any appeal against a decision in the respect of pay.
 12. To consider a grievance or disciplinary matter and mechanism process for any appeal.
 13. To supervise and performance manage the Clerk’s work, to administer his/her leave requests, record and monitor his/her absences, and handle grievance and disciplinary matters and pay disputes.

7. **PROPER OFFICER**

- a The Proper Officer shall be the Town Clerk. The Proper Officer will also undertake the work of the Responsible Financial Officer (RFO). In the absence of the Town Clerk the Proper Officer shall be the Deputy Town Clerk.
- b The Proper Officer shall:
 - i. **give at least three clear days before a meeting of the Council, a Committee or a Sub-Committee,**
 - **sign and issue the summons to Councillors to attend meetings of the Council and Committees, confirming the time, date, venue and agenda (via email and members page on NHTC website), 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 1 (a) for the meaning of clear days for a meeting.
 - ii. include on the agenda all motions in the order received unless a Councillor has given written notice at least four days before the meeting

- confirming his/her withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Mayor, occasioned by a casual vacancy in his/her office;**
 - iv. **to keep proper records for all Council meetings and facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. to receive and retain declarations of acceptance of office forms from Councillors;
 - vii. to receive and retain every Councillor's register of interests;
 - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
 - xi. arrange for legal deeds to be executed;
 - xii. to certify copies of byelaws made by the Council, where relevant;
 - xiii. to sign notices or other documents on behalf of the Council;
 - xiv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
 - xv. record every planning application notified to the Council and the Council's response to the local planning authority;
 - xvi. retain custody of the seal of the Council which shall not be used without a resolution to that effect.

8. **CODE OF CONDUCT AND DISPENSATIONS**

- a All Members with voting rights shall observe the code of conduct adopted by the Council on 26th July 2012.
- b Any interest arising from the Code of Conduct, the existence and nature of

which is required to be disclosed by a Councillor in a meeting shall be recorded in the minutes.

- c Unless he/she has been granted a dispensation, a Member with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest or any other interest required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she 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 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 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 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.**

9. **DISORDERLY CONDUCT AT MEETINGS**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly or in a manner as to bring the Council into disrepute.

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 9 (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.

10. **CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the District or County Council that it is dealing with a complaint that a Member with voting rights has breached the Council's code of conduct, the Proper Officer shall report this to the Council.
- b Where a notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor 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.
- 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 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/her. Such action excludes disqualification or suspension from office.**

11. **VOTING ON APPOINTMENTS**

Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.

12. **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 two Councillors to be given to the Proper Officer in accordance with standing order 13, or by a motion moved in pursuance of the recommendation of a Committee or a Sub-Committee.
- b When a motion has been disposed of, no similar motion may be moved for a further six months.

13. **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 four 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 correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received 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 four 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 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.

14. **MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

a The following motions may be moved at a meeting without written notice to the Proper Officer:

- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular Committee or Sub-Committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a Committee or Sub-Committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a Councillor or a member of the public;
- xiii. to exclude a Councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

15. **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.**
- e The Clerk to review previous Committee meetings actions under the Clerks Items agenda item.

16. **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 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/she 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 North Hykeham Town Council held on [date] in respect of (insert topic) were a correct record but his/her view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

17. **FINANCIAL REGULATIONS**

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b Financial regulations drawn up by the Responsible Financial Officer includes 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. awarding contracts for services and goods;
 - v. the year-end accounting statements (Annual Governance and Accountability Return (AGAR)) prepared in accordance with proper practices applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March.
- c Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

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

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **The Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

19. **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 **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

20. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

- a **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her 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.**

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

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

22. **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 County Councillor(s) covering the Parish and to the District Councillor(s) representing the area.
- 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. Except for areas accessible by the public, 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 to Council employees.
- b. No member of the Council or any Committee shall disclose to any business declared to be confidential by the Council or the Committee to any person external to that Committee.

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 Chairman of a meeting as to the application of standing orders at the meeting shall be final.
- d All Councillors and staff shall act in a manner that promotes the effective and proper running of the Council and will not act in a manner that is detrimental to the reputation of the Council.
- e Any disputed Standing Orders will be reported to and in the order agreed:
 - Town Clerk;
 - Chairman of Finance & Policy;
 - Town Council;
 - National Association of Local Councils (NALC)for a decision.

25. **EMERGENCY POWERS**

In the exceptional circumstance(s) that the Proper Officer requires Council to make an urgent decision that will not accommodate the hosting of a extraordinary meeting the Mayor or Deputy Mayor, if the Mayor is unavailable, along with the Finance & Policy Committee Chairman or Vice Chairman, if the Chairman is not available, will be empowered to make the decision on behalf of the Council. This decision will be ratified at the next available Finance & Policy Committee or Council meeting.