DOVER TOWN COUNCIL

STANDING ORDERS

Adopted 12th July 2023
(Minute No: 23j)

Next Review - Sept 2026

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DOVER TOWN COUNCIL

STANDING ORDERS

These Standing Orders were adopted by Dover Town Council at its Meeting held on 12th July 2023 – (Minute No: 23j))

These Standing Orders are based on the 2020 NALC model. The provisions of the Town Council's Financial Regulations and Committee Delegations have the same authority as these Standing Orders.

BOLD – statutory requirements in LAW

N.B. *a)* *For the purposes of these Standing Orders, references to the Chairperson and Deputy-Chairperson of the Council shall mean the Mayor and Deputy Mayor.*

b) *Any reference to the Council shall apply equally to Full Council and Committee meetings.*

c) *In any situation of national emergency (such as the covid-19 pandemic) the Proper Officer in consultation with the Chairperson of the Council and/or senior Councillors shall have the authority to take any appropriate action having due regard to overriding legislation, Government Guidance and the principles of good governance underlying these Standing Orders.*

1. MEETINGS

a. Meetings of the Council shall be held at the Council offices, Maison Dieu House, Biggin Street, Dover at 6 p.m. unless the Council otherwise decides at a previous meeting. Except in exceptional circumstances, when the Town Clerk may, in consultation with the Council Chairperson and in accordance with statute, change the place and time of a meeting of the Council.

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.

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 appoint for public thanksgiving or mourning.

b. Except at the discretion of the Council (by taking a vote), all council meetings should finish not later than 8pm and/or last longer than 2 hours. The Council may resolve to continue to finalise the item under discussion at 8pm or at the end of 2 hours. Any business on the agenda not transacted shall be carried over to another meeting.

c. 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.

d. Subject to Standing Order 1(c) above, at the invitation of the Chairperson, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

e. Each councillor (subject to Standing Order 8(m to o)) or member of the public is entitled to speak once only in respect of an item of business on the agenda and shall not speak for more than 3 minutes (subject to Standing Order 1(d)).

f. In accordance with Standing Order 1(d) above, a question posed by a member of the public during a public participation session at a meeting shall not require an immediate response or debate.

g. In accordance with Standing Order 1(f) above, the Chairperson may direct that a response to a question posed by a member of the public be referred to a Councillor or to an employee for a written or oral response.

h. A record of a public participation session at a meeting shall be included in the minutes of that meeting.

i. A Councillor or member of the public shall raise their hand when requesting to speak, identify themselves and may stand when speaking.

j. If a member of the public interrupts the proceedings at any meeting, the Chairperson may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

k. All persons speaking at a meeting must address their comments to the Chairperson.

l. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairperson shall direct the order of speaking.

m. When the meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as is practicable, to be afforded reasonable facilities for making their report.

n. The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Deputy-Chairperson, if present, shall preside. If both the Chairperson and the Deputy-Chairperson are absent from a meeting, the Chairperson of the Council, if present shall preside, and if all the above are not present, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting. If councillors present are unable to agree on a chairperson for the meeting the meeting shall not proceed.

o. Subject to Standing Order 1(v) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

p. The Chairperson may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. ***(See also Standing Orders 2 (f) and (g) below.)***

q. Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, prior to any vote being taken, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for, against or abstained.

r. Every Councillor attending a meeting of the Town Council or of any of its Committees shall sign their name in the Attendance Record provided for that purpose.

s. Prior to a meeting, Councillors' apologies with a reason for absence from that meeting should be submitted to the clerk and reported to the meeting and a resolution be made as to whether the Council approves the absence or otherwise.

t. **The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**

u. **Three members or one-third of the membership whichever is the greater shall constitute a quorum at meetings of the Council.** If a quorum is not present, or if during a meeting the number of Councillors present (not counting those debarred by reason of a declared disclosable pecuniary interest) falls below the required quorum, the meeting shall be adjourned. Any outstanding business not transacted shall be transacted at a subsequent meeting.

v. The Town Mayor shall be an ex-officio member of every Committee.

w. **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.**

x. **Subject to (y. below) a person who attends a meeting is permitted to report on the meeting while the meeting is open to the public. To "report" means to film, photograph, make an audio recording, 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 take place or later to person not present.**

y. **A person at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**

2. STATUTORY ANNUAL COUNCIL MEETING

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

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

c. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**

d. **The election of the Chairperson and Deputy-Chairperson (if any) of the Council shall be the first business completed at the annual meeting of the Council.**

e. **The Chairperson of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.**

f. **In an election year, if the current Chairperson of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chairperson of the Council has been elected. The current Chairperson of the Council shall not have an original vote in respect of the election of the new Chairperson of the Council but must give a casting vote in the case of an equality of votes.**

N.B. Whenever an election for Chairperson of the Council takes place the person presiding must always give a casting vote in the case of an equality of votes.

g. In an election year, if the current Chairperson of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairperson of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairperson of the Council and must give a casting vote in the case of an equality of votes.

N.B. Note to Standing Order 2(f) also applies.

h. At the annual meeting of the Council a Councillor shall stand when speaking unless permitted by the Mayor to sit.

i. Following the declaration of acceptance of office of the Chairperson of the Council and Deputy-Chairperson (if any) of the Council at the annual meeting of the Council, the order of business may include the following.

(i) To approve any apologies for absence from Councillors not present at the meeting

(ii) To claim the General Power of Competence (in an election year)

(iii) **Delivery by Councillors of any outstanding declarations of acceptance of office.**

(iv) Appointment of representation to external bodies.

(v) To deal with any business on the agenda expressly required by statute to be done and any other business specified in the summons.

(vi) To receive a motion as to a vote of thanks to the former Town Mayor.

(vii) To present a Past Mayors Badge to the former Town Mayor.

(viii) To approve the Annual Governance and Accountability Return.

(ix) To deal with business expressly required by statute to be done.

3. ORDINARY COUNCIL MEETINGS

a. At every meeting other than the Statutory Annual Meeting the first business shall be to appoint a Chairperson for the duration of the meeting if the Chairperson and Deputy-Chairperson be absent.

b. The order of business may include the following.

(i) To approve any apologies for absence from Councillors not present at the meeting

(ii) To receive any declarations of disclosable pecuniary interest.

(iii) To consider the Minutes of the previous meeting(s).

(iv) After consideration to approve the signature of the Minutes by the person presiding as a correct record.

(v) Delivery by Councillors of any outstanding declarations of acceptance of office.

(vi) Questions from members of the public which have been submitted in writing at least 7 clear working days before the date of the meeting.

(vii) To deal with business expressly required by statute to be done.

(viii) **To approve schedules of payments made by the Town Council since the last meeting.**

(iv) To make any appointments required of the Town Council and to receive reports from Town Council representatives on external organisations.

(v) To note the list of Mayoral engagements since the last meeting and to receive such communications as the person presiding may wish to lay before the Town Council.

(vi) To approve written budgets and approve the amount of the precept to be levied for the coming financial year.

(vii) To receive and consider reports from Committees, Working Groups, members and officers of the Town Council.

(viii) Review of delegation arrangements.

(ix) Review and adoption of appropriate Standing Orders, Financial Regulations and other regulatory documents.

(x) Any other business specified in the summons.

4. EXTRAORDINARY MEETINGS

a. The Chairperson of the Council may at any time convene an extraordinary meeting of the Council subject to Standing Order 1(a) and any other appropriate legislation.

b. If the Chairperson of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having received a requisition to do so in writing signed by two Councillors, any two Councillors may convene an extraordinary meeting of the Council subject to Standing Order 1(a). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the Councillors convening the meeting.

c. The Chairperson of a Committee may at any time convene an extraordinary meeting of the Committee subject to Standing Order 1(a) above and any other applicable legislation.

5. COMMITTEES/ADVISORY COMMITTEES/WORKING GROUPS

a. All Standing Orders, including Financial Regulations shall apply to Committees;

b. All Committees, working groups, and project boards are dissolved on the last day of each municipal year. Committee structure and membership will be resolved by the Council:

c. At the first meeting in any municipal year of a Committee the first order of business shall be to elect a Chairperson and **Vice-Chairperson**.

d. The Chairperson of the Council or Deputy-Chairperson shall preside over the election of a Chairperson for the current municipal year and have a casting vote. If the Chairperson or Deputy Chairperson of the Council is not present Committee members must choose a Chairperson from among their number to preside over the election of the election of the Chairperson of the Committee for the forthcoming year.

e. Working groups, and project boards may be convened and appointed as required by Council or committees and may comprise Councillors and non-Councillors or be wholly composed of non-Councillors.

f. Project Boards/Working Groups shall report to the Committee, or Town Council as appropriate and shall not have power to exercise on behalf of the Town Council any authority nor to incur expenditure from the Town Council, nor to issue any instruction or make any offer likely, in the opinion of the Chairman and the Town Clerk, to incur expense or to use excessive officer time or Council resources.

g. Members of a Committee may allow non-Councillors to be appointed to the Committee. Such individuals will have no right to vote.

6. MOTIONS REQUIRING WRITTEN NOTICE

a. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear working days before the next meeting of the Council.

b. The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given unless the member giving a notice of motion has stated in writing that they intend to move at some later meeting or that they withdraw it.

c. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairperson of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, before deciding whether the motion shall be included or rejected in the agenda.

d. Every motion rejected in accordance with Standing Order 6(c) shall be duly recorded with a note by the Proper Officer giving reasons for its rejection, which shall be open to inspection by all Councillors.

e. Every resolution, recommendation or motion shall be relevant to some subject over which the Town Council has power or which directly affects its area.

7. MOTIONS NOT REQUIRING 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 defer consideration of a motion;

(x) To move to a vote;

(xi) To refer by formal delegation a matter to a Committee or an employee;

(xii) To receive nominations and make appointments to a Committee or Working Group;

(xiii) To dissolve a Committee or Working Group;

(xiv) To note the minutes of a meeting of a Committee or Working Group;

(xv) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;

(xvi) To extend the time limit for speeches;

(xvii) To exclude the press and public for all or part of a meeting;

(xviii) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;

(xix) **To suspend any Standing Order,** for the duration of the meeting only or in relation to a specified matter**, except those which are mandatory by law;**

(xx) To adjourn or close the meeting;

(xxi) To record a vote (this must be requested before any vote takes place);

(xxii) To grant a dispensation(s) under the Local Government Act 1972 s85(1);

b. If a motion not requiring written notice falls within the delegated powers of a Committee or within the delegated powers conferred on an employee, a referral of the same may be made to such Committee or employee. However, the Chairperson may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

8. RULES OF DEBATE

a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed by resolution (see Standing Order 7a(vi)).

b. Subject to Standing Orders 6(a)-(c) above, a motion shall not be considered unless it has been proposed and seconded.

c. A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.

d. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairperson, be reduced to writing and handed to the Chairperson who shall determine the order in which such motions are considered.

e. A Councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

f. Any amendment to a motion shall be:

(i) To leave out words;
or

(ii) To add words;
or

(iii) To leave out words and add other words.

g. An amendment to a motion shall not have the effect of negating the original or substantive motion under consideration.

h. Only one amendment shall be moved and debated at a time. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

i. Pursuant to Standing Order 8(h) above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.

j. If an amendment is carried, the amended motion shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

k. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes. A Councillor exercising a right of reply shall not introduce a new matter.

l. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

m. Subject to Standing Orders 8(k) and 8(l) above, a Councillor may only speak once in respect of any one motion. A Councillor may also speak once on an amendment to a motion moved by another Councillor or to make a point of order or to give a personal explanation. Speeches by Councillors should not be longer than 3 minutes.

n. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which they consider has been breached or specify the irregularity in the meeting they are concerned by.

o. A point of order shall be decided by the Chairperson with or without the advice of the Town Clerk and their decision shall be final.

p. Subject to Standing Order 8(o) above, when a Councillor's motion is under debate no other motion shall be moved except:

(i) To amend the motion;

(ii) To proceed to the next business on the agenda;

(iii) To close or adjourn the debate;

(iv) To put the motion to a vote;

(v) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;

(vi) To refer by formal delegation a matter to a committee or employee for consideration;

(vii) To exclude the public and press for all or part of the meeting;

(viii) To adjourn or close the meeting;

(ix) To suspend any Standing Order, except those which are mandatory.

q. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

r. Whenever the Chairperson speaks during a debate all other members shall be seated and silent.

s. The Chairperson shall first be satisfied that the motion has been sufficiently debated before it is put to the vote (subject to Standing Order 8(r) and 7(x) above).

t. After the right of reply has been exercised or waived by the mover of a resolution or proposer of an amendment, a vote shall be taken without further discussion.

9. CODE OF CONDUCT, DISPENSATIONS AND COMPLAINTS

a. **All Councillors shall observe the code of conduct adopted by the Council.**

b. All Councillors shall be responsible for undertaking appropriate training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

c. Dispensations 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.

d. Requests for dispensations shall be considered 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 meeting of the Council, or Committee for which the dispensation is required and that decision is final.

f. A dispensation request shall confirm:

i) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii) the date of the meeting or the period (not exceeding 4 years) for which the dispensation is sought;

iv) an explanation as to why the dispensation is sought.

g. A dispensation may be granted in accordance with Standing Order 9(e) above if having regard to all relevant circumstances the following applies:

i) without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or;

ii) granting the dispensation is in the interests of persons living in the council's area or;

iii) it is otherwise appropriate to grant a dispensation.

h. Councillors with a Disclosable Pecuniary Interest/Category A Interest in relation to any item of business being transacted at a meeting must leave the room or the chamber and not take part in any debate or vote on the item. They must declare the existence of that Interest as soon as it becomes apparent to them if it is not already included in the Council's Register of Interests and notify the Council's Monitoring Officer of the Interest within 28 days. They may return to the meeting after it has considered the matter in which they had the interest.

i. If a Councillor has a Category B Interest as defined by the Code of Conduct adopted by the Council then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest unless it is a sensitive Interest as previously disclosed and agreed with the Monitoring Officer; in which case only the existence of that Interest should be declared.

A Councillor with a Category B interest may ONLY (i) answer questions and (ii) give evidence relating to the business being transacted if members of the public are also allowed to speak at that meeting. They must not make representations, take part in the discussion or vote.

j. Councillors shall comply fully with the Council's Complaints Policy. **Upon notification by the District Council that a Councillor that a Councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

10. MINUTES

a. If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes does not require written notice.

c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairperson of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d. If the Chairperson of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate when confirmed by resolution of the meeting, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chairperson 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 their-view was not upheld by the majority of the ( ) 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, any previous draft minutes or recordings of the meeting made for the purpose of minuting shall be destroyed.

f. The minutes of the meeting shall comprise an accurate record of the following:

(i) The Time and place of the meeting;

(ii) The names of the Councillors present and absent with reasons for absence;

(iii) Interests that have been declared by Councillors;

(iv) Whether a Councillor left the meeting when matters in which they held interests in were being considered and voted on;

(v) If there was public participation;

(vi) The Resolutions made and items noted;

(vii) A recorded vote (subject to Standing Order 1(q) above).

11. UNACCEPTABLE BEHAVIOUR

a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. Councillors must not attend meetings of the Council, or act as a representative of the Council, if they are under the influence of drugs or alcohol as their ability to contribute and judgement will be impaired.

b. If, in the opinion of any Councillor (including the Chairperson) they may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.

c. If a resolution made in accordance with Standing Order 11(b) above, is disobeyed, the Chairperson (or Proper Officer) may take such further steps as may reasonably be necessary to enforce it and/or they may adjourn the meeting.

12. RESCISSION OF PREVIOUS RESOLUTIONS

a. A resolution of the Council shall not be reversed within 6 months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer at least 7 working days before the date of the meeting or by a motion moved in pursuance of the recommendation of a committee.

b. In the event of Council voting to appoint a Mayor Elect and/or Deputy Mayor Elect in advance of Mayor Making then Standing Order 12(a) applies. That means that no further vote shall be taken at Mayor Making when a Mayor Elect/Deputy Mayor Elect has been appointed.

c. When a special motion or any other motion moved pursuant to Standing Order 12(a) above has been disposed of, no similar motion may be moved within a further 6 months.

13. VOTING ON APPOINTMENTS

a. Where more than 2 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. Any tie may be settled by the Chairperson's casting vote.

14. EXPENDITURE

a. Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.

b. The Council's Financial Regulations shall be reviewed as necessary and usually every 3 years.

c. The Council's Financial Regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a Committee or to an employee.

15. EXECUTION AND SEALING OF LEGAL DEEDS

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

b. In accordance with a resolution made under Standing Order 15(a) above, 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 members of the Council who shall sign the deed as witnesses.

c. An entry of every sealing of a document shall be made and numbered consecutively in a book to be provided for the purpose and shall be signed by the person who shall have applied the seal.

d. Where any document will be a necessary step in legal proceedings or transactions or business authorised by the Town Council, it shall be signed by the Town Clerk (or in their absence by the Deputy Town Clerk).

16. REQUESTS FOR INFORMATION AND MANAGEMENT OF 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.

c. Requests for information held by the council shall be handled in accordance with the Council's policy in respect of handling requests under Data Protection and Freedom of Information Legislation and this Council's other relevant policies.

d. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairperson of the Council. The Chairperson of the Council and the Proper Officer shall have the authority to do anything necessary to facilitate compliance with applicable statutory regulation.

e. 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 arrangement shall include deciding who has access to personal data and encryption of personal data.

f. 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 of if this is not possible the criteria used to determine that period (e.g. The Limitation Act 1980)

g. 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.

h. Councillors, staff, the Councils contractors and agents shall not disclose confidential information or personal data without legal justification.

17. UNAUTHORISED ACTIVITIES

a. No individual Councillor shall in the name or on behalf of the Council, or a Committee:

(i) Inspect any property which the Council has a right or duty to inspect;

(ii) Issue orders, instructions or directions or enter into agreements and/or financial commitments of any kind. The Council will not recognise or assume responsibility for any such arrangements;

(iii) Represent themselves out or give the impression to any third party that they are acting on behalf of the Council except with the express authorisation of the Town Council and/or as delegated to the Proper Officer.

18. SOLICITING FOR APPOINTMENTS

a. A Councillor shall not solicit for any person an appointment under the Council or recommend any person for such appointment, or promotion; but, nevertheless a Councillor may give a written testimonial of a candidate's ability, experience or character for submission to the Council with any application for an appointment.

b. Standing Order 19(a) above, shall apply to tenders, contracts and offers as if the person making the tender/contract/offer were a candidate for appointment.

19. MATTERS AFFECTING COUNCIL EMPLOYEES AND CONFIDENTIAL BUSINESS

a. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Orders 1(c) and 7a(xvii)).

b. Annually, Council shall review the pay and conditions of service of existing employees. The review should normally be undertaken in April of each year.

c. Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature without legal justification. This includes information restricted under the Data Protection Legislation Act 1998, General Data Protection Act 2018 and other legislation and regulations.

d. A Councillor in breach of the provisions of Standing Order 19(c) above may be removed from a Committee or Committees by a resolution of the Council. Any employee in breach of the provision of Standing Order 19(c) above may be subject to disciplinary proceedings.

20. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

a. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

21. STANDING ORDERS TO BE GIVEN TO COUNCILLORS

a. The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of their declaration of acceptance of office.

b. The Chairperson's decision as to the interpretation of Standing Orders at meetings shall be final with or without the advice of the Town Clerk.

c. A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in them being excluded from the meeting in accordance with Standing Order 11.

22. PROPER OFFICER

a. The Town Clerk (and in their absence the Deputy Town Clerk) shall have authority to make urgent decisions on behalf of the Town Council that cannot await the next Town Council or Committee meeting after consultation with the Mayor (or in in their absence the Deputy Mayor) or the relevant Committee Chairperson (or in their absence the Deputy-Chairperson) as appropriate.

When it is proposed to take urgent action that involves expenditure the Responsible Financial Officer will be consulted and asked to give their advice as the Responsible Finance Officer and that advice will be recorded with the action agreed to be taken.

b. The Town Clerk shall do the following:

(i) Sign and serve on Councillors by delivery or post at their residences or by email (provided the Councillor has consented to service by email) authenticated in such a manner as the Proper Officer thinks fit, a signed summons confirming the time, date, venue and the agenda of a meeting of the Council or a meeting of a Committee at least 3 clear days excluding Sundays and Public Holidays before the meeting;

(ii) Give public notice of the time, date, venue and agenda at least 3 clear days (excluding Sundays and Public Holidays) before a meeting of the Council or a meeting of a Committee subject to an exception in the case of Standing order 4(b) and 4(c) above;

(iii) Receive and retain copies of bylaws made by other local authorities;

(iv) Receive and retain declarations of acceptance of office from Councillors;

(v) Retain custody of the Common Seal of the Council which shall not be used without a resolution to that effect;

(vi) Action or undertake activity or responsibilities instructed by resolution or by delegation or contained in legislation or in Standing Orders.