



BRAMSHOTT & LIPHOOK PARISH COUNCIL

STANDING ORDERS

INDEX TO STANDING ORDERS

| Standing Order No | Subject | Page No |
|--------------------------|--|----------------|
| 1 | Terms of Reference for the Council | 3 |
| 2 | Meetings of the Council | 3-4 |
| 3 | Elections/Powers of Chairmen, Vice-Chairmen | 4-8 |
| 4 | Committees and Sub-Committees, Forums, Working Parties | 8-10 |
| 5 | Quorum | 10 |
| 6 | Order of Business | 10-12 |
| 7 | Motions | 12-15 |
| 8 | Questions | 15-16 |
| 9 | Minutes and Reports of Meetings | 16-17 |
| 10 | Debate | 18 |
| 11 | Disturbances by Members of the Public | 18 |
| 12 | Recision of Preceding Resolutions | 18-19 |
| 13 | Voting | 19 |
| 14 | Record of Attendance | 19 |
| 15 | Interests/Conduct | 19-21 |
| 16 | Officer's Responsibilities | 21 |
| 17 | Documents | 21-23 |
| 18 | Provision of Information | 23 |
| 19 | Lands and Premises | 24 |
| 20 | Complaints and Grievances | 24 |
| 21 | Disorderly Conduct | 24-25 |
| 22 | Suspension, Variation, Revocation of Standing Orders | 25 |
| 23 | Resignations | 25 |
| 24 | Investigations | 25-26 |

Annexes:

| | | |
|----------------|--|---------------|
| Annex A | Terms of Reference-Standing Committees: | |
| | Parish Council | A-1 to A-2 |
| | Finance and Policy Committee | A-3 |
| | Planning Committee | A-4 |
| | Recreation Committee | A-5 to A-6 |
| | Highways, Byways and Transport Committee | A-7 to A-8 |
| | Millennium Centre Management Committee | A-9 |
| Annex B | Financial Regulations | B1-B10 |
| Annex C | The Parish Council's (Model Code of Conduct) Order 2007 | |

1. TERMS OF REFERENCE FOR THE COUNCIL

- 1.1 **Terms of Reference.** The terms of reference for the Council apart from the powers and duties imposed upon it as a corporate body, shall be to deal with any business not in the remit of any of its Committees, as set out in the Terms of Reference of Parish Council and Standing Committees (Annex A) and Financial Regulations (Annex B).
- 1.2 **Copies of Standing Orders for Members.** A copy of these Standing Orders (SOs) shall be given to each member¹ by the Clerk upon delivery to him/her of the member's declaration of acceptance of office.

2. MEETINGS OF THE COUNCIL

- 2.1 **Frequency.** The ordinary meetings of the Council shall be held on a Monday at least six times a year, usually in the Haskell Centre, Midhurst Road, Liphook, or at such place and time as the Council may determine annually when setting its programme of meetings.
- 2.2 **The Annual Meeting.** The Annual Meeting of the Council² shall be held:
- 2.2.1 **Election Year.** On the Monday following the fourth day after the ordinary day of elections to the Council or within fourteen days thereafter.
- 2.2.2 **Not an Election year.** On a Monday in May to be determined by the Council.
- 2.3 **The Annual Parish Meeting.** The Annual Parish Meeting shall be held no sooner than March and no later than 1 June and in such place and time as the Council may determine on a date to be approved by the Council.
- 2.4 **Additional Council Meetings.** The Chairman of the Council may summon an additional meeting of the Council at any time. An additional meeting may also be summoned on the request, in writing, of not less than a quarter of the members of the Council. The summons for any such meeting shall set out the business to be considered at that meeting, and no other business shall be transacted.
- 2.5 **Admittance of the Public and the Press.** The public and the press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public or the press, or both, by passing a resolution to do so³. No recording equipment is to be used by members of the public or press at any Council meeting.
- 2.6 **Summons for Meetings.** A summons for every meeting of the Council or its committees is to be sent to all members, which sets out the agenda for the meeting. It is to be sent to all members to allow a minimum of three clear working days⁴ before the date on which the meeting is held. The summons is also to be sent to County and District councillors for the ward.

¹ The word "member/s" means councillor/s or co-opted member/s of the Council or Committee throughout this document and appendices, unless it is qualified by words such as "...of the public."

² Laid down by Statute; May not be suspended by resolution in relation to any item of business.

³ "three clear days" laid down by Statute; May not be suspended by resolution in relation to any item of business.

⁴ As set out in the Local Government Act 1972 (does not include the day of issue or the day of the meeting).

2.7 **Chairmanship of Meetings.** The person presiding at a meeting may exercise all powers and duties of the Chairman in relation to the conduct of the meeting. In the absence of the Chairman the Vice-Chairman will preside. In the absence of the Vice-Chairman, members will propose and vote on who will preside at the meeting prior to conducting any business. The Chairman of the meeting in his/her announcements, is to remind those attending the meeting:

2.7.1 To switch off mobile phones

2.7.2 Explain the procedures in the event of a fire/emergency

2.7.3 Point out the disabled access and the facilities for the hard of hearing.

2.7.4 Inform the meeting when the proceedings are being electronically recorded for accuracy of minutes, and that the recording will destroyed once the minutes have been approved, and that no other recordings are permitted.

2.8 **Public Participation.** At all meetings of the Council and its committees, the Chairman may at his/her discretion, and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation 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 14 May 2007 shall apply to members of the Council in respect of the entire meeting. Where, however, members of the Council exercise their rights pursuant to Standing Order (SO) 2.9, below, members of the public shall be allowed to attend the meetings, and to make representations, answer questions, or give evidence in relation to the business being transacted. A public question session may be included in the agenda for all meetings of the Council, so that members of the public may ask questions of the Council about matters not being transacted at the meeting. The Chairman will adjourn the meeting during the public question session.

2.9 **Participation by Members.** At all meetings of the Council and its committees, the Chairman may permit members of the Council including co-opted members who have a prejudicial interest in relation to any item of business to be transacted at that meeting to make representations, answer questions, or give evidence relating to the business being 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 14 May 2007 shall apply to all members of the Council in respect of the entire meeting.

3. ELECTIONS/POWERS OF THE CHAIRMAN/VICE CHAIRMAN

3.1. **The Council - Chairman.** The Chairman of the Council shall be elected at the Annual Meeting and this election shall be the first business to be transacted at that Meeting.

3.2 **The Council - Vice Chairman.** The Vice-Chairman of the Council shall be elected at the Annual Meeting.

3.3 **Committee Chairmen/Vice Chairman.** The Chairman and Vice-Chairman (if appropriate) shall be elected by members at the Annual Meeting.

- 3.4 **Chairs of Working Party.** A Chairman of a Working Party is to be decided by the Council when the Working party is appointed. The Chairman of a Working party is not to be the Chairman of the Council or of the appointing Committee.
- 3.5 **Chairs of Forums.** A Chairman of a forum is to be elected annually by the members of the appropriate Committee, at the Annual Meeting or at the first committee meeting. The Chairman of a forum is not to be the Chairman of the appointing Committee.
- 3.6 **Co-option of Parish Councillors.** The co-option of a Parish Councillor or Councillors will be required following the notification of the existence of a casual vacancy/ies for membership of the Parish Council. The names and addresses of anyone wishing to be considered as a Parish Councillor will be forwarded to the Clerk by the date set out in the Casual Vacancy notice. The following will apply:
- 3.6.1. **Procedure before the Parish Council Meeting.**
- 3.6.1.1 The Clerk will consult with Electoral Services at East Hampshire District Council (EHDC), as appropriate.
- 3.6.1.2 A notice for a Casual Vacancy or Vacancies will be posted, and if an election is not required then a notice for co-option will also be posted.
- 3.6.1.3 The Clerk will respond in writing to any member of the public wishing that their names be considered for co-option. The Clerk will request any candidate to forward a letter to the Council setting out the reasons why that individual wishes to be a member of the Council enclosing any supporting documentation i.e. CV. The Clerk will send an extract of SO 3.6 to each candidate, and inform candidates of the meeting at which the co-option will take place and invite them to attend the meeting.
- 3.6.1.4 The Clerk will place the co-option on the agenda of the appropriate Parish Council Meeting. The Clerk will prepare a list of candidates for members of the Council together with any documents provided by the candidates, ballot papers setting out the names of each candidate, and a scoring sheet to be used during the voting procedure.
- 3.6.2. **Procedures at the Parish Council Meeting.** The following will take place in open session, with or without any of the candidates present:
- 3.6.2.1 The Chairman will inform members of the names and addresses of anyone wishing to be considered for co-option to a vacancy on the Parish Council.
- 3.6.2.2 The Chairman will invite councillors present at the meeting to decide if they wish to nominate any of the persons named. Councillors present will then nominate persons for the vacancy or vacancies in turn, and

provided that the nomination is seconded, those persons names may be voted upon⁵ as follows:

3.6.2.2.1 One Vacancy. A Councillor may only nominate or second one candidate.

3.6.2.2.2 More than one Vacancy. A Councillor may nominate or second one person for each vacancy.

3.6.2.3 The vote⁶ or series of votes to co-opt members will then proceed. Each vacancy will be voted for in turn as a separate procedure. Only Councillors present may vote, using the following procedure:

3.6.2.3.1 The Chairman will check that the names of those properly nominated appear in alphabetical order on ballot papers prepared by the Clerk. The ballot papers will be issued to all members present. Councillors will place an "X" indicating their vote against the nomination they wish to vote for. The ballot papers will be collected and counted by the Clerk, who will record the number of votes received for each nomination on a score sheet which will be passed to the Chairman.

3.6.2.3.2 The Chairman is to check the score sheet. The candidate who receives an absolute majority⁷ of those present and voting is declared elected by the Chairman, and co-opted to the Parish Council.

3.6.2.3.3 In the event of no single candidate receiving an absolute majority on the first vote, then the person with the lowest number of votes is eliminated, as declared by the Chairman. Any candidate that receives no votes will be automatically eliminated (no votes will not be considered as the lowest number of votes). A further ballot sheet will then be prepared and issued by the Clerk the candidate/s with no votes, and the candidate with the lowest number of votes, as declared by the Chairman having been struck out. Voting will then take place on the remaining candidates shown on that ballot sheet, one vote per councillor.

3.6.2.3.4 Should at any stage there be more than one candidate with the lowest number of votes as declared by the Chairman, then the Clerk is to prepare a separate ballot sheet showing the names of the candidates with the lowest number of votes. Those ballot sheets will then be issued to all members and a vote will be taken. The candidate receiving the lowest

⁵ There is no rule that unsuccessful candidates at previous elections should be chosen first.

⁶ By ballot paper; see Standing Order 13.

⁷ See definition at Sect 12, paragraph 39 of the LGA 1972 "an absolute majority of voting members present" i.e. if there are 12 councillors then an absolute majority would be 7".

number of votes will be eliminated. The process will be repeated up to a further three times until a candidate is eliminated. Should no candidate be eliminated at that stage then the Chairman will have a casting vote in order that a candidate is eliminated. The Chairman will cast his/her vote or votes and declare the candidate to be eliminated. The Clerk will then prepare and issue a further ballot sheet with the name of the eliminated candidate struck out. Voting will then continue on the remaining candidates for co-option until one person receives an absolute majority with the procedure being repeated as required.

3.6.2.3.5 When a candidate receives an absolute majority Chairman declares that candidate as being co-opted to The Council. If there is more than one vacancy for co-option the Chairman will direct that the name of the successful candidate is removed from the ballot sheets by the Clerk. The procedure at 3.6.2.3.1 – 3.6.2.3.3 is repeated for each vacancy in turn.

3.6.2.3.6 When all the vacancies have been voted upon then the Chairman will summon the new councillor/s to attend the next Parish Council meeting. The Chairman will also inform the new councillors that they will receive a letter from the Clerk confirming their co-option to the Council and informing them of any administrative matters to be dealt with prior to their attendance at any Council meeting or before they conduct any business on behalf of the Council.

3.6.3. **Procedures following the Parish Council Meeting.**

3.6.3.1 Electoral Services at EHDC is to be informed of the result by the Clerk.

3.6.3.2 The successful candidate/s is/are to sign the Declaration of Acceptance of Office in the presence of the Proper Officer prior to participation in any Parish Council business.

3.6.3.3 The successful candidate/s is/are to be provided with a set of these SOs, and to have read and understood the Code of Conduct (Annex C).

3.7 **Declaration of Acceptance of Office.** Members and co-opted members of the Council or a Committee are to sign the register of Declaration of Acceptance in the presence of the Proper Officer or an Officer of the Council prior to carrying out any business of the Council. Elected members are to sign the register prior to, or at the first meeting after their election, which in an election year is the Annual Meeting. The Council may decide at that meeting to allow an elected member to sign the register at a later date (not later than the next meeting of the Parish Council) providing the member has informed the Proper Officer that they are unable to attend the first meeting after the election and have offered their apologies in advance of the meeting. Should that not be done then the elected member's place on the Council will automatically become vacant, and the

vacancy filled by co-option. The person concerned will no longer be a councillor, although he/she may seek re-election.

- 3.8 **Powers of Chairman.** The Chairman or the person presiding at the meeting may exercise any power or duty of the Chairman in relation to the conduct of a meeting⁸ and as set out in these SOs or delegated to him/her by the Council.

4. COMMITTEES, SUB-COMMITTEES, FORUMS, WORKING PARTIES

- 4.1 **Appointing Committees.** The Council⁹ may at its Annual Meeting appoint for the discharge of its function standing Committees and Sub-Committees (and may at any other time appoint such other Committees or Sub-Committees as it deems necessary).

- 4.2 **Committee Powers.** The Council¹⁰ may confer fully delegated powers to any of its Standing Committees.

- 4.3 **Standing Committees.** For the purpose of this SO, the Standing Committees are as follows:

4.3.1 Finance and Policy Committee.

4.3.2 Planning Committee.

4.3.3 Recreation Committee.

4.3.4 Highways, Byways and Transport Committee.

4.3.5 Liphook Millennium Centre Management Committee.

- 4.4 **Membership.** The Chairman and Vice-Chairman of the Standing Committees and Sub-Committees shall be elected at the Annual Meeting, and once so done, the members of the Council shall elect, the other members of those Committees and Sub-Committees to hold office until the next Annual Meeting. No member of the Council may be the Chairman of two Standing Committees. The number of members for each Committee will normally be:

4.4.1 **Finance and Policy Committee.** Six members which will include the Chairman of the Council and the Chairman of Standing Committees.

4.4.2 **Planning Committee.** Eight members.

4.4.3 **Recreation Committee.** Seven members.

4.4.4 **Highway, Byways and Transport Committee.** Seven members.

⁸ Laid down by Statute; May not be suspended by resolution in relation to any item of business. The Chairman is delegated any powers as decided by the Council.

⁹ Local Government Act 1972 s101, (1).

¹⁰ Local Government Act 1972 s101, (4)

4.4.5 Liphook Millennium Centre Management Committee. Twelve members, with the Chairman being a Parish Councillor, and consisting of:

4.4.5.1 Six members of the Parish Council.

4.4.5.2 Six co-opted members of the public, to include representatives from Liphook Scouts and Guides, Bramshott and Liphook Preservation Society, and Age Concern, subject to their agreement to participate, and if not, to determine representation from elsewhere.

4.5 **Committee/Sub-Committee Provisions.** Subject to any statutory provision, the Council:

4.5.1 May delegate its powers to any of its standing Committees, or Sub-Committees, other than those listed in section 101 (6) of the Local Government Act 1972.

4.5.2 Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting.

4.5.3 May appoint persons other than members of the Council to any standing Committee or Sub-Committee, though such persons have no right to vote (apart from persons appointed to the Liphook Millennium Centre Management Committee) or to become Chairman or Vice-Chairman of the Standing Committee or Sub-Committee.

4.5.4 May, at any time dissolve or alter the membership of a Committee.

4.6 **Participation by Non-Committee Members.** The Chairman and Vice-Chairman of the Council can attend and speak at any standing Committee or Sub-Committee, but cannot vote unless appointed as a member of that standing Committee or Sub-Committee at the Annual Meeting of the Council. Other members of the Council may attend any committee meeting, but not speak or address the Committee, unless specifically invited by the Chairman of the Committee to do so but may ask questions subject to the provisions of SO 8.3.

4.7 **Additional Committee Meetings.** The Chairman of a Committee or the Chairman of the Council may summon an additional meeting of that Committee at any time. An additional meeting may also be summoned on the request, in writing, of not less than a quarter of the members of the Committee. The summons for any such meeting shall set out the business to be considered at that meeting, and no other business shall be transacted.

4.8 **Sub-Committee, Forums, Working Parties.** The Council and every Committee may appoint a Sub-Committee, Forum or Working Party for purposes to be specified by the Council or Committee. Approval as to its purpose, objectives and number of members as set out in Terms of Reference (less Forums) must be approved by a resolution of the Council. The title of any such grouping is to reflect its function.

- 4.9 **Appointment of Working Parties.** Should the Council, or one of its standing Committees, so decide, it will appoint working parties, the name, number of members (and the bodies to be invited to nominate members), shall be as set out by the Council at the time of appointing the Working Party.
- 4.10 **Membership – Forums, Working Parties.** The composition of a Forum or Working Party shall be at the discretion of the Council or its appointing Committee.
- 4.11 **Working Party or Forum Provisions.** A Working Party or Forum or any similar group approved by the Council or a Committee may only make recommendations, giving notice thereof to the Council or one of its standing Committees.
- 4.12 **Debate and Interests.** The SOs on rules of debate and the SOs on interests of members in contracts and other matters, shall apply to Committee and Sub-Committee meetings.
- 4.13 **Admittance of the Public and the Press**¹¹. The public and the press shall be admitted to all meetings of the Committees. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. However, the public or the press, or both, may be temporarily excluded from the meeting by passing a resolution to do so. If a person’s advice or assistance is needed they may be invited (by name/organisation) to remain after the exclusion resolution is passed.
- 4.14 **Terms of Reference - Committees.** The terms of reference for the Standing Committees listed in SO 4.3 are set out in Annex A of these SOs. They may only be altered by a resolution in Council.

5. **QUORUMS**

- 5.1 **Council Meetings.** The Quorum for Council meetings shall be one third of the total number of sitting members.
- 5.2 **Committee and Sub-Committee Meetings.** The quorum for Committee or sub-Committee meetings shall be one half of the sitting members on that Committee or sub-Committee, or 3, whichever is the greater. No Committee or Sub-Committee is to have less than four members.
- 5.3 **Non-Quorate Procedure.** If during any meeting of the Council, the Chairman, after counting the number of members present, and not debarred by reason of a declared interest, declares that there is not a quorum present, the meeting shall stand adjourned¹². The consideration of any business not transacted shall be adjourned to a time and place fixed by the Chairman at the time the meeting is adjourned, or, if he does not fix a time, to the next ordinary meeting of the Council.

6. **ORDER OF BUSINESS**

¹¹ Laid down by Statute; May not be suspended by resolution in relation to any item of business.

¹² The Local Government Act 1972 provides that no business shall be transacted at a meeting of a council unless at least one quarter of the whole number of members is present.

6.1 **Ordinary/Additional Meetings.** Except as otherwise provided for by paragraph 6.1.1-6.1.3 of this SO, the order of business at every meeting of the Council or Committee, other than the Annual Meeting shall be:

- 6.1.1 To choose a person to preside if the Chairman and Vice-Chairman be absent.
- 6.1.2 To receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.
- 6.1.3 To read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
- 6.1.4 To approve as a correct record and sign the minutes of the last Council meeting of the Council.
- 6.1.5 To deal with any business required by statute to be done before any other business.
- 6.1.6 To dispose of business (if any) remaining from the last meeting of the Council or Committee.
- 6.1.7 To receive minutes of Committees or sub-committees.
- 6.1.8 To receive and determine recommendations of Committees, or sub-Committees.
- 6.1.9 To allow members or members of the public to make representations, answer questions, or give evidence as covered under paragraph 12 (2) of the Parish Council's Code of Conduct.
- 6.1.10 To adjourn and then re-convene the business of the meeting to allow for questions from the floor.
- 6.1.11 To answer questions asked under SO 8.
- 6.1.12 To consider motions in the order in which notice has been received.
- 6.1.13 Other business, if any, specified in the summons.
- 6.1.14 Any other items that the Chairman decides are urgent.
- 6.1.15 To authorise the sealing of documents.
- 6.1.16 To deal with any business which is of an urgent nature, that has arisen after the issue of the summons to the meeting, subject to the agreement of the Chairman.

6.2 **Changes to the Order of Business.** Business falling under SO 6.1.1 - 6.1.13 shall not be displaced, but the order of business may be varied for urgent reasons by:

6.2.1 The Chairman of the meeting, at his discretion.

6.2.2 By a resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

6.3 **Order of Business - Annual Meeting.** Including the provisions of SO 6.2, the order of business at the Annual Meeting of the Council shall be:

6.3.1 To elect the Chairman.

6.3.2 To receive the Chairman's and Vice-Chairman's declarations of acceptance of office, or, if not then received, to decide when it shall be received.

6.3.3 In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations¹³.

6.3.4 To decide when any declarations of Acceptance of Office by members other than the Chairman and Vice-Chairman as provided by law shall be received, if they have not been received before the start of the meeting (see SO 3.7).

6.3.5 To elect a Vice-Chairman.

6.3.6 To appoint committees.

6.3.7 To appoint representatives to outside bodies and organisations.

6.3.8. To approve the schedule of monthly payments.

6.3.9 To deal with any business which is of an urgent nature, that has arisen after the issue of the summons to the meeting, subject to the agreement of the Chairman.

7. **MOTIONS**

7.1 **Scope of Motions.** Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the Parish.

7.2 **Notices.** Notice of every motion, other than a motion which under SO 7.4 may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, and delivered to the Clerk at the Parish Office, by 9.00 am on the sixth clear day prior to the day of the meeting (normally Tuesday). The notice of motion will be duly signed and dated by the Clerk, and entered in a book in the order it was received. The book shall be open for inspection by every member of the Council during Parish Office opening hours. The name of the member proposing the motion, if possible, will be included on the agenda.

¹³ If these measures fail to fill the outstanding vacancies, a further election must be held unless there appears to be no immediate prospect of filling them, in which case it may be necessary to fill vacancies by appointment

- 7.3 **Promulgation and Withdrawal.** The Clerk shall set out in the summons for every meeting of the Council, all motions of which notice has been duly given in the order in which they have been received, unless the member giving such a notice intimated in writing, when giving it, that he proposed to move it at some later meeting, or has since withdrawn it in writing.
- 7.4 **Motions and Amendments moved without notice.** The following motions and amendments may be moved without notice:
- 7.4.1. Appoint the Chairman of the meeting at which the notice is made.
 - 7.4.2 Motions relating to the accuracy of the minutes, or to approve the minutes.
 - 7.4.3 An item of business specified in the summons shall have precedence.
 - 7.4.4 Withdrawal of reference of a matter to a Committee.
 - 7.4.5 Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons of the meeting.
 - 7.4.6 Adoption of minutes, reports and recommendations of Committees or officers and any consequent resolutions.
 - 7.4.7 That leave is given to withdraw a motion.
 - 7.4.8 Extending the time limit for speeches.
 - 7.4.9 Amendment to motions.
 - 7.4.10 That the Council proceed to the next business.
 - 7.4.11 That the question be now put.
 - 7.4.12 That the debate be closed or adjourned.
 - 7.4.13 That the Council be adjourned or reconvened.
 - 7.4.14 Authorising the sealing of documents.
 - 7.4.15 Suspending SOs, in accordance with SO 22.1.
 - 7.4.16 Motion under Section 1(2) of the Public Bodies (Admission to Meetings) Act, 1960, to exclude the public.
 - 7.4.17. To silence or eject from the meeting a member named for misconduct.
 - 7.4.18 That a member named under SO 20.2 be not further heard, or to leave the meeting.
 - 7.4.19 Inviting a member to remain under SO 15.3 (pecuniary interest).

7.4.20 Giving consent of the Council where the consent of the Council is required by these SOs.

7.4.21 To deal with any business which is of an urgent nature, that has arisen after the issue of the summons to the meeting, subject to the agreement of the Chairman.

7.5 **Moving a Resolution.** Except as provided for in SO 7.4, no resolution may be moved unless the business to which it relates forms part of the summons for that meeting. When the item is reached on the agenda for the meeting the motion is to be proposed by the mover of the motion and seconded by a member of the Council or Committee before the matter is debated.

7.6 **Motion not moved.** If a motion specified in the summons is not moved, either by the member who gave notice of it, or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

7.7 **Amendments to Motions.** An amendment shall be relevant to the motion and shall be either:

7.7.1 To refer a subject of debate to a Committee for consideration or re-consideration.

7.7.2 To insert or leave out words, although such omission or insertion shall not have the effect of negating the motion before the Council.

7.8 **Moving an Amendment.** If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

7.9 **Lost Amendment.** If an amendment is lost, the original motion stands. Other amendments on the original motion may be moved provided they are proposed and seconded.

7.10 **Motions/Amendments under Debate.** When a motion is under debate no other motion shall be moved except the following:

7.10.1 To amend the resolution.

7.10.2 To adjourn the debate.

7.10.3 To proceed to the next business.

7.10.4 That the question be now put.

7.10.5 That a member be not further heard.

7.10.6 That a member named do leave the meeting.

7.10.7 That the resolution be referred to a committee.

7.10.8 To exclude the public and press.

7.10.9 To adjourn the meeting.

- 7.11 **Automatic Reference to Committee**. If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report. The Chairman if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 7.12 **Motions - Expenditure**. Any motion which is moved other than in pursuance of a recommendation or report of a Committee and which, if carried, would materially increase the expenditure upon any service which is under the management of, or reduce the revenue under the management of, any Committee, or would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. Any Committee affected by such a motion shall consider whether it desires to report thereon. Orders for payment of money shall be authorised by resolution of the Council as set out in Financial Regulations.
- 7.13 **Motions - Persons Employed by the Council**. If any question arises at a meeting of the Council or of a Committee (including any Sub-Committee to which the public are admitted) as to the appointment, promotion, dismissal, salary, pension or other conditions of service, or as to the conduct of any persons employed by the Council, a motion under Section 100 (A) (4) of the Local Government Act 1972 to exclude the public and the press shall be moved by the Chairman, seconded and put without debate.

8. QUESTIONS

- 8.1 **General Questions**. A member of the Council may ask the Chairman of any Committee any question on any matter in relation to which the Council has powers or duties or which affects the Parish, providing three clear working days' notice has been given to the Clerk.
- 8.2 **Council and Committee Meetings**. A member of the Council may:
- 8.2.1 With the permission of the Chairman, put to him or the Chairman of any committee any question relating to urgent business, of which such notice has not been given, but a copy of any such question shall be delivered to the Clerk not later than 9.30 am in the morning of the day of the meeting.
- 8.2.2. Ask the Chairman of a Committee any question upon an item of the report of a Committee when that item is under consideration by the Council.
- 8.2.3 Ask or answer questions during public question time as a member of the public, or attend a meeting to make representations, or give evidence relating to any prejudicial interest in the business of the Council provided that the public are allowed to attend the meeting for the same purpose, as set out on the agenda for Council meetings (see SO 2.8 and 2.9).

8.3 **Procedure for Questions at Meetings.** Every question shall be put and answered without discussion. Supplementary questions may be asked arising from the answer given. The answers shall not be discussed.

8.4 **Answers to Questions at Meetings.** An answer may take the form of:

8.4.1. A direct oral answer.

8.4.2. Where the desired information is contained in a publication of the Council, a reference to that publication.

8.4.3 Where the reply to the question cannot conveniently be given orally, a written answer will be provided:

8.4.3.1 To members. To be circulated to all members of the Council/Committee usually within 10 working days of the meeting.

8.4.3.2 To members of the Public. Usually within 10 days of the meeting.

8.4.4 Where the answer to a member's question would reveal exempt information¹⁴ to move a motion under Section 100 (A) (4) of the Local Government Act 1972 to exclude the public and the press in order that the answer may be given to the member concerned.

8.4.5 Where the answer to a member of the public's question would reveal exempt information, inform the member of the public, orally, that the question would reveal exempt information.

8.4.6 Where an answer to a financial question is required, submit it in writing to the Responsible Financial Officer of the Council.

8.5 **Answers to communications from the Public.** No anonymous written correspondence or anonymous telephone calls will be responded to by an employee. Members of the Council (when acting in a personal capacity, not as a representative of the Council) are strongly recommended to use their discretion in handling such approaches and only respond with care and caution.

9. MINUTES AND REPORTS OF MEETINGS

9.1 **Minutes.** The minutes of Council or Committee meetings are to be prepared by the Clerk/Officer providing the clerical support to the Council or Committee at that time. In the absence of the Clerk/Officer for all, or part of a meeting, then a Councillor is to take and prepare the minutes subject to the agreement of the Council or Committee. Machine recording of the meeting by the Clerk/Officers is permitted in order to ensure the accuracy of the record, with the recording deleted once the minutes are approved. Whenever this is done, the Chairman of the meeting is to inform those attending in

¹⁴ LGA 1972 Schedule 12A, Part 1 and Section 100I.

his/her announcements. The format of the formal minutes is at the prerogative of the Clerk/Officer or councillor responsible for taking and publishing the minutes of the meeting. Decisions which have been minuted and published may be acted upon prior to official confirmation of the Minutes at the next meeting of the Council or a Committee.

9.2 **Presentation and Procedures - Council Minutes.** The Chairman of the Council shall:

9.2.1 Put the question under the appropriate item of business "*that the minutes of the Council held on theday of shall be approved as a correct record.*"

9.2.2 Refer to each page of the minutes. Any question of their accuracy shall be raised by motion. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman. No discussion shall take place upon the minutes, except upon their accuracy.

9.2.3 If no such motion is raised, or if it is raised, then as soon as it has been disposed of, the Chairman shall sign the minutes.

9.3 **Presentation of Committee Minutes and Reports at Council Meetings.** The Chairman or Vice-Chairman of a Committee (or in their absence or default, by any other member of the Committee) shall present the recommendations of each Committee in the order set out in the order of business for the Council meeting.

9.4 **Procedures for Questions on Committee Minutes or Reports.** The procedure is as follows:

9.4.1 If a member has a question, motion or amendment to raise, or make, on an item presented, he or she shall do so immediately the item has been called by raising their hand to attract the attention of the Chairman of the Council and stating the item, item number, or matter presented.

9.4.2 Once disposed of, the Chairman of the Committee or person nominated will move that: "*the minutes of the Committee held on be received and recommendations be adopted.*"

9.5 **Signing of Council/Committee Meeting Minutes.** The minutes of any meeting of the Council or a Committee shall be signed at the time that they are presented at the Council or Committee or at the next ordinary meeting¹⁵ of the Council or Committee.

9.6 **Distribution of Minutes and Reports.** Copies of minutes and reports of all Committees shall be sent to each member of the Council by the date of the issue of the Council summons or despatched with the agenda for the next ordinary Council meeting. In the case of urgency they may be issued between the dispatch of the summons and the Council meeting.

¹⁵ The next suitable meeting shall exclude extraordinary meetings called under paragraph 3 of Schedule 12 of the LGA 1972.

9.7 **Supporting Documentation.** When a minute or report of a Committee refers to a plan or document not issued to all members, a member shall be entitled, between the dispatch of the summons and the Council meeting, to inspect the plan or document.

10. **DEBATE**

10.1 **Provisions.** Debate may only take place when a motion or amendment has been proposed and seconded, and notice has already been given in accordance with SO 7.1, and 7.3. Only one amendment to a motion may be moved and discussed at a time, and no further amendments shall be moved until the amendment under discussion has been disposed of.

10.2 **Members wishing to speak.** A member, wishing to speak shall raise his hand and then address the Chairman. If two or more members raise their hands, the Chairman shall call upon them to speak in turn.

10.3 **Relevance and Length of Speeches.** A member shall direct his speech to the question under discussion, or to a personal explanation, or to a point of order. No speech shall exceed five minutes in the case of the mover of a motion, and three minutes in all other cases except by consent of the Council.

10.4 **Reply.** The mover of a motion has a right to reply at the close of the debate on the motion, immediately before it is put to the vote.

10.5 **Time to Speak.** A member, other than the mover of a resolution, shall not, without leave of the Council or Committee, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

10.6 **Points of Order and Explanations.** A member may make a point of order or personal explanation. A member making a point of order shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him or her, which may have been misunderstood. A member may raise a point of order relating only to an alleged breach of a SO or statutory provision, and must specify which it is and how he or she considers it to have been broken.

10.7 **Chairman's Ruling.** The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

11. **DISTURBANCES BY MEMBERS OF THE PUBLIC**

11.1 **Interruption.** If a member of the public interrupts the proceedings at any meeting, the Chairman shall warn him/her. If the interruption continues, the Chairman shall order his/her removal from the meeting.

11.2 **General Disturbance.** In the case of general disturbance in any part of the meeting room open to the public, the Chairman shall order that part to be cleared.

12. RECISION OF PRECEDING RESOLUTIONS

12.1 **Recision.** A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by:

12.1.1 A special resolution, the written notice whereof bears the names of at least four members of the Council.

12.1.2 By a resolution moved in pursuance of the report or recommendation of a committee.

12.2 **Special Resolutions.** When a special resolution moved under the provisions of SO 12.1.1 above has been disposed of, no similar resolution may be moved within a further six months.

13. VOTING

13.1 **System.** The mode of voting at meetings of the Council, or of any of its Committees or Sub-Committees shall be by a show of hands unless otherwise decided by the Council.

13.2 **Casting Vote.** In the case of an equality of votes, the person presiding at the meeting shall have a second, or casting vote even though he may not have given an original vote. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman. If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for statutory provision which preserves the membership of the Chairman and Vice-Chairman until the end of their office he/she may not give an original vote in an election for Chairman.

13.3 **Record of Voting.** If any members so request, the minutes of that meeting shall show whether members cast their votes for or against the motion, or whether they abstained from voting. Such a request must be made before moving on to the next business.

13.4 **Voting on Motions referred to Committees.** A member who has proposed a motion, which has been referred to any Committee of which he/she is not a member, may explain his resolution to that Committee, but may not vote.

13.5 **Voting on Appointments.** Where more than two persons have been nominated for any position to be filled by the Council, and there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be removed from the list. A fresh vote will then be taken, and so on until an absolute majority of votes is given in favour of one person.

13.6 **Voting by Ballot Paper.** Voting will be by ballot paper for the co-option of a Parish Councillor or where two or more persons have been nominated to fill positions on or by the Council.

14. RECORD OF ATTENDANCE

14.1 Every member of the Council attending a meeting of the Council, or of any of its Committees or Forums, of which he/she is a member, shall sign his/her name in the attendance book provided for that purpose.

15. INTERESTS/CONDUCT

15.1 **Guidance.** Members will be governed by the provisions of the Parish Councils (Model Code of Conduct) Order 2007 (Annex C of these SOs).

15.2 **Training.** Code of Conduct training is compulsory for all members, who will be expected to attend a training session conducted by EHDC or HAPTC within three months of joining the Council. The minimum training standard will be to watch the DVD provided by the Standard Boards for England followed by a question and answer session with the Clerk to the Council. A training record will be held in the Register of Interests folder.

15.3 **Pecuniary Interests.** If any member has any pecuniary interest, direct or indirect, within the meaning of Section 94 - 95 of the Local Government Act 1972, in any contract or other matter, he/she shall while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in Section 97(b) or:

15.3.1 The disability imposed upon him/her by those sections has been removed by EHDC.

15.3.2 The Council invite him/her to remain at the meeting.

15.3.3 The contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate.

15.3 **Register of Interests.** Members are to register their interests annually with EHDC, as arranged by the Clerk. Members, in an election year, are to have submitted a completed Register of Interests Form before attending any meeting of the Council or committee. Persons that are co-opted to the Council or a committee are to submit a completed Register of Interests Form before attending any meeting of the Council or committee. The Clerk shall keep a record in a book to be kept for the purpose of any interest that has been recorded with the Monitoring Officer at EHDC, and the book shall be open to inspection of any member during the public opening times of the Parish Office¹⁶ by appointment with the Clerk.

15.4 **Appointments/Relationship.** If a candidate for any appointment under the Council is to his knowledge related to any member of a holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed SO 15.1 shall apply. The Clerk shall make known the purport of this SO to every candidate.

¹⁶ Laid down by Statute; May not be suspended by resolution in relation to any item of business.

- 15.5 **Appointments/Canvassing**. The influencing by members or of any committee, directly or indirectly, for any appointment of an employee under the Council shall disqualify the candidate for such appointment. Any individual that becomes a candidate for any appointment under the Council will be informed of this SO by the Clerk. If there are suspicions or circumstances which indicate that this may have happened, the matter will be reported to the Clerk who is to deal with the matter under SO 24.
- 15.7 **Appointments/Soliciting**. A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, members may give a written testimonial for submission to the Council with an application for appointment.
- 15.8 **Exempt/Confidential Business**. No member of the Council or of any committee or sub-committee or employee shall disclose to any person not a member of the Council any business declared or published as exempt¹⁷ or confidential¹⁸ by the Council, Committee or sub-committee, or the Clerk or Asst Clerk as the case may be. Any member in breach of this SO shall be removed from any committee or sub-committee of the Council by the Council. An employee in breach of this SO will be dealt with under the Disciplinary Policy.

16. OFFICER'S RESPONSIBILITIES

- 16.1 **Proper Officer**. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, and he/she shall be the Clerk whose responsibilities are set out in his/her Job Description.
- 16.2 **Responsible Financial Officer (RFO)**. Where a statute, regulation or order confers functions or duties on the Responsible Financial Officer of the Council, he/she shall be the Clerk, whose responsibilities are set out in his/her Job Description.
- 16.3 **Additional Responsibilities**. The Clerk shall report to the Chairman of the Finance and Policy Committee on any matter not expressly covered by this SO or his/her Contract of Employment, and policies covering Health & Safety, Equal Opportunities, Discipline, Complaints and Grievances.
- 16.4 **Suspension of Officers**. If any officer is suspended for the purpose of investigating the alleged misconduct occasioning the action; then such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

17. DOCUMENTS

¹⁷ Exempt information as set out in the Local Government Act 1972 Schedule 12A and Parts 1-3 and associated notes.

¹⁸ Confidential information as set out in Local Government Act 1972, Section 100A and the Freedom Of Information and Data Protection Acts together with any amendments.

- 17.1 **Sealing**. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 17.2 **Procedures for Sealing Documents**. The Council’s common seal shall alone be used for sealing documents. The Proper Officer in the presence of two members who shall sign the document as witnesses shall apply it.
- 17.3 **Inspection of Documents**. Any member of the Council may inspect, for the purposes of his/her duty as such (but not otherwise), any document in possession of the Council or committee, and if available, on request, be supplied for the like purpose with a copy. This includes all Minutes kept by the Council and by any committee.
- 17.4 **Copying Documents**. A member shall not knowingly inspect and shall not call for a copy of any document under paragraph 17.3 of this SO relating to a matter in which he is professionally interested, or in which he has directly or indirectly any pecuniary interest within the meaning of Section 95 of the Local Government Act 1972.
- 17.5 **Special Handling of Documents**. The following procedure is to be followed when handling “EXEMPT” and “CONFIDENTIAL” documents:
- 17.5.1 Whether a document is “EXEMPT” or “CONFIDENTIAL” is determined by the Local Government Act of 1972, Freedom of Information Act and Data Protection Acts, as amended (see footnotes to SO 15.8) and these SOs.
- 17.5.2 All pages of “EXEMPT” and “CONFIDENTIAL” documents will be marked as such on the header or footer of each page of the document together with the date of preparation.
- 17.5.3 A registration log will be maintained in the Parish Council Office listing all “EXEMPT”/“CONFIDENTIAL” documents created, each copy made being numbered in a sequence up to the total number produced. The log will be cross referenced to the Parish Office files, to facilitate retained copy retrieval.
- 17.5.4 **Copying and Distribution of Documents**. When copies of documents are distributed to members or persons authorised to be given copies of the document by the Clerk:
- 17.5.4.1 “EXEMPT” documents will be distributed in the normal way, that is by placing the document in the post pigeon-hole of each Councillor. Where considered sufficiently sensitive as to content the document will be enveloped. A register will be kept of the document number issued to each recipient. On a minimum bi-monthly basis Councillors are required to inspect the “EXEMPT” document register and sign their acknowledgement of documents distributed to them.
- 17.5.4.2 “CONFIDENTIAL” documents will only be distributed in a sealed envelope annotated “Confidential” and only released when signed for in the register on collection from the Parish Office. The register will record the document number issued to each recipient.

- 17.6 Return of “EXEMPT” and “CONFIDENTIAL” documents. Members are encouraged to review their files and return to the Parish Office “EXEMPT” or “CONFIDENTIAL” documents no longer required for personal retention in pursuance with their duties. The register of distribution will record such return. Members are required to return all such documents to the Parish Office two weeks following it becoming clear that there is no intention to stand at the next Council election or two weeks following failure to be re-elected at such an election.
- 17.7 Loss or Non-Receipt of Documents. Members must report awareness of such an occurrence to the Parish Office as soon as possible after it becoming known to that person.
- 17.8 Declining Inspection. SO 17 shall not preclude the Clerk from declining inspection of any document, which is, or in the event of legal proceedings would be, protected by privilege arising from the relationship of solicitor and client.
- 17.9 Reports and Minutes. All reports made, or minutes kept by any Committee shall, as soon as the Committee has concluded action on the matter to which such reports or minutes relate, be open for the inspection of any member of the Council except where reports or correspondence by their nature are exempt or confidential.
- 17.10 Letters. No letter or written communication is to be sent out by the Parish Council or by a member on behalf of the Parish Council unless it is on headed notepaper, and a copy has been taken and deposited in the Parish Council Office prior to its dispatch. The Council will not meet any liability arising out of failure to adhere to this SO.

18. PROVISION OF INFORMATION

- 18.1 Access to Information. The Council are subject to the Freedom of Information Act 2000 and the Data Protection Act 1998. Access will be given to information in accordance with both Acts and as set out in the Parish Council’s Model Publication Scheme, provided the Parish Council hold that information. The Model Publication Scheme will be made available to members of the public on request. Copies will be provided subject to the appropriate payment being made to the Parish Council.
- 18.2 Release of Information. No member or employee is to release any information concerning the Parish Council to any party unless that information is included in the Parish Council’s Model Publication Scheme which is to be provided to all Councillors. Advice is to be sought from the Clerk to the Council prior to release of such information.
- 18.3 Requests for Information under the Freedom of Information Act 2000 - Special Categories. Where a request is made for exempt or confidential information under the Freedom of Information Act 2000 (either an “absolute exemption” or “qualified exemption”) and there are any concerns or issues arising that might result in a refusal to release that information, then the matter is to be referred to the next Finance & Policy Committee or Parish Council meeting, if necessary under urgent business bearing in mind the response times to meet requests for information. The Clerk to the Council is to seek appropriate advice from the Information Commissioner and other relevant organisations and the Parish Council solicitor as required.

18.4 **Exempt Information.** Exempt Information, as described under the Local Government Act 1972 as amended, will normally be discussed as part of an exempt session of the Parish Council or the appropriate committee meeting, or at a meeting between Council representatives and employees. Any such information passed to members, employees, or any other party in writing will be annotated “EXEMPT” and subject to the provision of SO 15.8. and 17.5.1.

18.5 **Confidential Information.** Where information is considered to be of a confidential nature normally specific information relating to individuals, investigations, complaints, grievances, and disciplinary matters, that information is to be annotated “CONFIDENTIAL” and be subject to the provision of SOs 15.8. and 17.5.2.

19. **LANDS AND PREMISES**

19.1 No member of the Council or of any Committee or Sub-Committee shall:

19.1.1 In the name of or on behalf of the Council formally inspect any lands or premises, which the Council has a right or duty to inspect, unless authorised by the Council.

19.1.2 Issue orders to do so unless authorised by the Council or the relevant Committee or sub-committee.

20. **COMPLAINTS AND GRIEVANCES**

20.1 **Maladministration.** The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended by the National Association of Local Councils (NALC).

20.2 **Complaints by Members of the Public.** The Council will deal with complaints as set out in accordance with current Council policy.

20.3 **Complaints/Grievances by Councillors/Staff.** The Council will deal with any complaint or grievance under the current Council policies.

20.4 **Failure to observe the Code of Conduct.** In the event that any member feels obliged to make a complaint about a councillor in relation to a possible failure to observe the Code of Conduct, they are to make, in the first instance, their complaint in writing to the Chairman of the Council with a copy to the Clerk (or if it involves the Chairman or in his/her absence, to the Vice-Chairman). The Clerk is to seek advice from the Monitoring Officer at EHDC and/or the Standards Board for England as necessary. The Chairman, or Vice-Chairman, will establish a Standards Team consisting of two councillors, who will meet with the relevant member/s to discuss the matter. The Standards Team will then provide a written report to the Chairman of the Council who will then decide on the action to be taken. The Chairman will decide what further action is required, and may refer the matter to the next meeting of the Council for consideration in exempt session, or immediately refer it to the Standards Board of England. The Council will inform the Monitoring Officer at EHDC of any action they intend to take.

21. **DISORDERLY CONDUCT**

- 21.1 **Provisions.** No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- 21.2 **Breaking the Provisions.** If, in the opinion of the Chairman, a member has broken the provisions of SO 21.1, the Chairman shall express that opinion to the Council and thereafter any member may move a motion that the member named be no longer heard or that the members named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 21.3 **Suspension of Members.** If either of the motions mentioned in SO 21.2 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

22. SUSPENSION, VARIATION, AND REVOCATION OF STANDING ORDERS

- 22.1 **Suspension of Standing Orders.** Any or every part of these SOs, except those laid down by statute and herein noted by use of a footnote stating this, may be suspended by resolution in relation to any specific item of business.
- 22.2 **Variation/Revocation of Standing Orders.** A resolution permanently to add, vary or revoke a SO, where it is of an urgent nature, shall be considered at the next appropriate meeting of the Parish Council. Prior to a review of SOs, the Clerk of the Council is to provide an amended draft copy to all members at least two months prior to the date on which the draft will be considered by the Parish Council.

23. RESIGNATIONS

- 23.1 **Chairman of the Council.** If the Chairman wishes to resign his position of Chairman of the Council he must present his notice of resignation to the Parish Council not the Clerk.
- 23.2 **Other Members.** Other members may resign from a Committee or from the Council by submitting notice of their resignation, in writing, to the Clerk.

24. INVESTIGATIONS

- 24.1 **General.** Any matter that the Clerk in his capacity as either the Executive Officer or Responsible Financial Officer of the Council believes should be investigated, should normally be:
- 24.1.1 Reported to Chairman and Vice-Chairman of the Council and copied to all the members of the Council.
- 24.1.2. Any subsequent action is to be agreed by the Chairman and Vice-Chairman of the Council with the support of the Chairman of the appropriate Committee or placed on the next Council Meeting agenda as an exempt item.
- 24.1.3 All members of the Council will be informed as to the decision taken and advised as to the reasons for the investigation and basis for the decision to so investigate.

- 24.2 **Council Policies**. Any investigation required under any of the Council policies i.e. Complaints, Grievance, or Disciplinary policies are to be investigated as set out in those policies.
- 24.3 **Investigation Procedure**. Should an investigation be required other than that set out in any other policy document of the Council then the following procedure will be followed:
- 24.3.1 The Chairman or Vice-Chairman (should it involve the Chairman or in his/her absence) will consider the urgency of the issues involved and if considered necessary appoint a member of the Council to be Chairman of Investigation as soon as possible. If it is feasible to wait for the next Parish Council meeting, the matter will be placed on the agenda under exempt items and the Chairman of the investigation and supporting member appointed by the full membership.
- 24.3.2 The Chairman of the Investigation will arrange for the investigation to be carried out usually within 21 days. The terms of the Investigation will be agreed between the Chairman of the Parish Council and the Investigation Chairman. The terms will include the reason for the investigation, the known facts and which persons are to be interviewed. The Chairman of the Investigation will send to each person a document setting out the Terms of the Investigation and how it is intended that the investigation will be conducted. He will also establish appropriate and reasonable location and time for the interviews to take place. If it is required by the terms of the Investigation, or requested by an interviewee, written record of the meeting together with copies of documents and other supporting evidence relevant to the investigation will be taken and filed in the Parish Office. For this purpose and at the Investigation Chairman's discretion, either a non-investigating member of the Council or an Officer of the Council will take the record.
- 24.3.3 Investigative interviews are to be held in Council meeting facilities. No interviews are to be conducted over the telephone. The member/s and employee/s may be accompanied at an investigation by a representative (an employee may be represented by a member of the trade union to which they belong who may or may not be a work colleague), or by a work colleague, friend or adviser not acting in a legal capacity. The member/s and employee/s should advise the Council who their representative is prior to the start of the investigation. Whilst the representative can speak at the investigation and ask questions, he or she cannot answer questions for the member/s or employee/s.
- 24.3.3 An investigation report will be written by the Chairman of the Investigation and submitted to the Chairman of the Council (or Vice-Chairman), and copied to all those involved.
- 24.3.4 The Chairman or Vice-Chairman on receipt of an investigation report, will arrange for the report to be submitted to the Council with his/her recommendation as to the action to be taken, having taken appropriate advice.

Adopted: 29 October 2007

To be reviewed: August 2009