

# **WILCOT and HUIISH (with OARE) PARISH COUNCIL**

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## **STANDING ORDERS PART ONE**

### **1. MEETINGS**

- 1.1. The Statutory Annual Meeting shall be held:
  - 1.1.1. In an election year on, or within, 14 days following the day on which the Councillors elected take office;
  - 1.1.2. In a year which is not an election year on such day in May as the Council may direct.
  - 1.1.3. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- 1.2. In addition to the Statutory Annual Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.
- 1.3. The Code of Conduct adopted by the Council shall apply to all Councillors and in respect of the entire meeting.
- 1.4. 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.
- 1.5. Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum. If during a meeting the number of Councillors falls below the quorum, the business not transacted at the meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.
- 1.6. Meetings shall not normally exceed a period of 2.5hours.
- 1.7. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- 1.8. If the Chairman of the Council does not, or refuses to, call an extraordinary meeting of the council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.
- 1.9. The minutes of a meeting shall record the names of Councillors present and absent.
- 1.10. Councillors have a duty to attend Council meetings. Councillors unable to attend a meeting must contact the Clerk with an apology and an explanation. Councillors who fail to attend meetings for six months will automatically cease to be a Councillor unless prior approved leave of absence has been given.

### **2. CHAIRMAN OF MEETING**

- 2.1. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman if present, shall preside. If both the Chairman and the Vice-Chairman are absent from the meeting a Councillor, as chosen by the Councillors present at the meeting, shall preside at the meeting.
- 2.2. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 2.3. The Chairman, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.
- 2.4. The Vice-Chairman, unless s/he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- 2.5. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, s/he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council

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shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- 2.6. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Chairman of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

### 3. PROPER OFFICER

- 3.1. The Proper Officer for Wilcot and Huish (with Oare) Parish Council shall be the Clerk.
- 3.2. The Clerk, or an employee appointed to act as such during the Clerk's absence, shall fulfil the duties assigned to the Proper Officer in standing orders. Duties include but are not restricted to the following:
- 3.2.1. Sign and serve on Councillors by delivery, or post at their residences, or electronically a summons confirming the time, date, venue and the agenda of a meeting of the Council or Committee at least three clear days before the meeting;
- 3.2.1.1. When calculating the three clear days for notice of a meeting to Councillors and the public, 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, a bank holiday, or a day appointed for public thanksgiving or mourning shall not count.
- 3.2.2. Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);
- 3.2.3. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
- 3.2.4. Make available for inspection the minutes of meetings;
- 3.2.4.1. Minutes taken during confidential meetings may remain confidential;
- 3.2.5. Receive and retain copies of byelaws made by other local authorities;
- 3.2.6. Receive and retain declarations of acceptance of office from Councillors;
- 3.2.7. Complete and update every Councillor's register of interests on the County website. Review on an annual basis in the event of any changes;
- 3.2.8. Keep proper records required before and after meetings;
- 3.2.9. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with, and subject to, the Council's procedures relating to the same;
- 3.2.10. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary, and keep Councillors aware of these correspondences;
- 3.2.11. Manage the organisation, storage of and access to information held by the Council in paper and electronic form;
- 3.2.12. Record every planning application notified to the Council and the Council's response to the local planning authority;
- 3.2.13. Refer a planning application received by the Council to the Chairman or in his/her absence the Vice-Chairman of the Council within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council committee;
- 3.2.14. Have regard to the Standing Orders - Financial Regulations.

### 4. CODE OF CONDUCT

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- 4.1. All Councillors shall observe the Code of Conduct adopted by the Council.
- 4.2. Councillors with a disclosable pecuniary interest in relation to any item of business being transacted at a meeting shall not participate in a discussion or vote on the matter. At the discretion of the Council they may be asked by resolution to leave the room or chamber.
- 4.3. Councillors with a disclosable interest other than pecuniary in relation to any item of business being transacted at a meeting may speak on the matter only if members of the public are also allowed to speak at the meeting. The Councillor shall not vote on the matter.
- 4.4. Where a matter arises which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest and not vote on the matter. S/he may speak on the matter only if members of the public are also allowed to speak at the meeting.
- 4.5. On a written request made to the Clerk, the council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if s/he has a disclosable interest if the Council considers it appropriate.
- 4.6. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 4.7. If, in the opinion of the Chairman, there has been a breach of standing order 4.6 above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 4.8. If a resolution made in accordance with standing order 4.7 above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or s/he may adjourn the meeting.
- 4.9. If, in the opinion of two or more Councillors the Chairman obstructs the transaction of business, or fails to allow a fair discussion, the Council may move to adjourn the meeting by majority vote. The minutes must record the objection of the Council and the names of Councillors who voted for and against the motion.
- 4.10. Any person speaking at a meeting shall address their comments to the Chairman.
- 4.11. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 4.12. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- 4.13. Whenever the Chairman rises during a debate all other members shall be seated and silent.

## 5. ORDER OF BUSINESS

(In an election year Councillors are to execute Declarations of Acceptance of Office in the presence of a Proper Officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

- 5.1. At each Annual Meeting the first business shall be:
  - 5.1.1. To elect a Chairman and Vice-Chairman;
  - 5.1.2. To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received;
  - 5.1.3. In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations;
  - 5.1.4. To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received;
  - 5.1.5. To consider the payment of any subscriptions falling to be paid annually and shall thereafter follow the order set out in standing order 5.3.

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- 5.2. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.
- 5.3. After the first business has been completed the order of business shall be as follows. Motions dealing with the following matters may be moved without notice:
  - 5.3.1. To correct any inaccuracies in the minutes;
  - 5.3.2. To approve the Minutes as a correct record;
  - 5.3.3. To dispose of business, if any, remaining from the last meeting;
  - 5.3.4. To alter the order of business for reasons of urgency or expedience;
  - 5.3.5. To proceed to the next business;
  - 5.3.6. To close or adjourn the debate or meeting;
  - 5.3.7. To refer a matter to a Committee;
  - 5.3.8. To appoint a Committee or any members thereof;
  - 5.3.9. To dissolve a Committee;
  - 5.3.10. To consider a report and/or recommendations made by a committee, employee, professional advisor, expert or consultant;
  - 5.3.11. To amend a motion (which shall not have the effect of nullifying it);
  - 5.3.12. To give leave to withdraw a motion or amendment;
  - 5.3.13. To authorise the payment of monies;
  - 5.3.14. To authorise the signing of legal deeds, signed by two Councillors and witnessed;
  - 5.3.15. To extend the time limit for speeches;
  - 5.3.16. To exclude the press or public for all or part of a meeting;
  - 5.3.17. To silence or eject from the meeting a member for misconduct;
  - 5.3.18. To give the consent of the Council where such consent is required by these Standing Orders;
  - 5.3.19. To suspend any Standing Orders—except those which are mandatory by law;
  - 5.3.20. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
  - 5.3.21. To answer questions from Councillors;
  - 5.3.22. To deal with business expressly required by statute to be done;
  - 5.3.23. To receive such communications as the presiding Chairman may wish to lay before the Council;
  - 5.3.24. To consider motions or recommendations in the order in which they have been notified;
  - 5.3.25. Other business as specified in the summons.
- 5.4. A motion to vary the order of business on the grounds of urgency:
  - 5.4.1. May be proposed by the Chairman or by any member and if proposed by the Chairman may be put to the vote without being seconded; and
  - 5.4.2. shall be put to the vote without discussion.
- 5.5. Except as provided by these Standing Orders, no motion may be moved unless it is included in the agenda and the mover has given notice in writing of its terms to the Clerk at least ten clear working days before the next meeting of the Council.
  - 5.5.1. The Clerk may correct obvious grammatical or typographical errors in the wording of the motion;
  - 5.5.2. If the Clerk considers the wording of a motion is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing in clear and certain language at least seven clear days before the meeting;
  - 5.5.3. If the wording or nature of a proposed motion is considered unlawful or improper, the Clerk shall consult with the Chairman to consider whether the motion shall be included or rejected in the agenda;

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- 5.5.4. Having consulted the Chairman the decision of the Clerk as to whether or not to include the motion in the agenda shall be final;
- 5.5.5. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Clerk giving reasons for its rejection;
- 5.5.6. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- 5.6. A member may ask the Chairman any question concerning the business of the Council.
- 5.7. The procedure for dealing with Resolutions or Amendments shall be as follows:
  - 5.7.1. A Resolution or Amendment shall not be discussed unless it has been proposed and unless the proper notice has already been given it shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the meeting;
  - 5.7.2. A member shall direct his/her speech to the question under discussion or to a personal explanation or to a question of order.

## 6. MINUTES

- 6.1. 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.
- 6.2. 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 shall be raised in accordance with standing order 5.3 above.
- 6.3. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 6.4. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:  
'The Chairman of this meeting does not believe that the minute of the meeting of the [ ] held on [date] in respect of [ ] were a correct record but his/her view was not upheld by the majority of the [ ] and the minutes are confirmed as an accurate record of the proceedings.'
- 6.5. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- 6.6. An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

## 7. RULES OF DEBATE

- 7.1. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of urgency or expedience.
- 7.2. A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 7.3. A Councillor may move amendments to his own motion.
- 7.4. An Amendment shall be either:
  - 7.4.1. To leave out words;
  - 7.4.2. To leave out words and insert or add others;
  - 7.4.3. To insert or add words.
- 7.5. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

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- 7.6. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- 7.7. Subject to standing order 7.6 above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- 7.8. The number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- 7.9. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- 7.10. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- 7.11. A point of order shall be decided by the Chairman and his/her decision shall be final.
- 7.12. With the consent 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.
- 7.13. When a Councillor's motion is under debate no other motion shall be moved except the following:
  - 7.13.1. To amend the motion;
  - 7.13.2. To proceed to the next business;
  - 7.13.3. To adjourn the debate;
  - 7.13.4. To put the motion to a vote;
  - 7.13.5. To ask a person to be silent or for him/her to leave the meeting;
  - 7.13.6. That the motion be referred to a Committee;
  - 7.13.7. To exclude the public and/or press;
  - 7.13.8. To adjourn the meeting;
  - 7.13.9. To suspend any standing order, except those which are mandatory.
- 7.14. In respect of standing order 7.13.4 above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.
- 7.15. A decision of the Council shall not be reversed within six months save by a special motion, the written notice whereof bears the names of at least three Councillors or the report or recommendation of a Committee.
- 7.16. When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- 7.17. 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 has decided whether or not the public shall be excluded.

## 8. VOTING

- 8.1. All questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- 8.2. Voting on any question shall be by a show of hands.
- 8.3. If a Councillor so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request shall be made before moving on to the next business.

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- 8.4. The Chairman may give an original vote on any matter put to the vote and, in the case of an equality of votes, may exercise a casting vote whether or not s/he gave an original vote.
- 8.5. 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 Chairman's casting vote.

## **9. ADMISSION OF PUBLIC AND PRESS TO MEETINGS**

- 9.1. 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.
- 9.2. Subject to standing order 9.1 above, 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.
- 9.3. The period of time which is designated for public participation in accordance with standing order 9.2 above, is at the Chairman's discretion.
- 9.4. Subject to standing order 9.3 above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- 9.5. Subject to standing order 9.2 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for oral response or to an employee for a written or oral response.
- 9.6. A record of public participation session at a meeting shall be included in the minutes of that meeting.
- 9.7. The press shall be provided reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 9.8. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.
- 9.9. All requests from the press or other media for an oral or written statement of comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- 9.10. In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **10. COMMITTEES**

- 10.1. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - 10.1.1. Shall determine their terms of reference;
  - 10.1.2. May permit committees to determine the dates of their meetings;
  - 10.1.3. Shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - 10.1.4. May appoint substitute Councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Clerk 7 days before the meeting that they are unable to attend;

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- 10.1.5. An ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 10.1.4 above ) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- 10.1.6. May in accordance with standing orders, dissolve a committee at any time.
- 10.2. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
- 10.3. The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors.
- 10.4. Advisory committees and any sub-committees may consist wholly of persons who are non-Councillors.

## 11. BREACHES OF THE CODE OF CONDUCT

- 11.1. On receipt of a notification that there has been an alleged breach of the Code of Conduct the Clerk shall refer it to a committee known as the Code of Conduct Committee.
- 11.2. Where the notification relates to a complaint made by the Clerk, the Clerk shall notify the Chairman of the Code of Conduct Committee of that fact who, upon receipt of such notification, shall nominate a person to assume the duties of the Clerk set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- 11.3. Where a notification relates to a complaint made by an employee (not being the Clerk) the Clerk shall ensure that the employee in question does not deal with any aspect of the complaint.
- 11.4. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Clerk and the Chairman of the Code of Conduct Committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality:
  - 11.4.1. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed;
  - 11.4.2. Ensure that any background papers containing the information set out in standing order 8.5 above are not made public;
  - 11.4.3. Ensure that the public and press are excluded from meetings as appropriate;
  - 11.4.4. Ensure that the minutes of meetings preserve confidentiality;
  - 11.4.5. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter;
- 11.5. Standing order 11.4.4 above should not be taken to prohibit the Council (whether through the Clerk or the Chairman of the Code of Conduct Committee or otherwise) from disclosing information to members and officers of the council or to other persons where such disclosure is necessary to deal with the complaint or is required by law;
- 11.6. The Code of Conduct Committee shall have the power to:
  - 11.6.1. See documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - 11.6.2. Seek and share information relevant to the complaint;
  - 11.6.3. Grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full council.
- 11.7. References in standing order 11.1 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.



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## **12. INSPECTION OF DOCUMENTS**

- 12.1. Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.
- 12.2. The minutes of the Council shall be open to inspection by any local government elector of the parish without charge.

## **13. FINANCIAL REGULATIONS**

- 13.1. All financial business conducted by the Council shall be regulated by the Financial Regulations adopted by the Council on 6 February 2007 and annexed to these Standing Orders.
- 13.2. The Council's financial regulations shall be reviewed once a year.
- 13.3. 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, sub-committee or to an employee.

## **14. LEGAL DEEDS**

- 14.1. A legal deed shall not be executed on behalf of the council unless the same has been authorised by a resolution.
- 14.2. In accordance with a resolution made under standing order 14.1 above, any two members of the Council may sign, on behalf of the council, any deed required by law and the Clerk shall witness their signatures.

## **15. CODE OF CONDUCT ON COMPLAINTS**

- 15.1. The Council shall deal with complaints of maladministration allegedly committed by the Council by implementing the Complaints Procedure.
- 15.2. Complaints about a Councillors' conduct will be referred to the principle authority.

## **16. GENERAL POWER OF COMPETENCE**

- 16.1. Before exercising the General Power of Competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.
- 16.2. The Council's period of eligibility begins on the date that the resolution under standing order 16.1 above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- 16.3. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 16.2 above.

## **17. MATTERS AFFECTING COUNCIL EMPLOYEES**

- 17.1. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 9.1 above.
- 17.2. Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman or, in his absence, the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence at its next meeting.
- 17.3. The Chairman or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Parish Clerk and

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Responsible Financial Officer and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution of the Parish Council.

- 17.4. Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman or in his absence the Vice-Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Parish Council.
- 17.5. Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Parish Clerk and Responsible Financial Officer relates to the Chairman or Vice-Chairman this shall be communicated to another member of the Parish Council which shall be reported back and progressed by resolution of the Parish Council.
- 17.6. Any person responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance and capabilities grievance and disciplinary matters.
- 17.7. The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- 17.8. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- 17.9. Only persons with line management responsibilities shall have access to employee records referred to in standing orders 17.7 and 17.8 above if so justified.

## **18. CANVASSING OF COUNCILLORS**

- 18.1. Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Clerk shall disclose the requirements of this standing order to every candidate.
- 18.2. A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion, but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 18.3. This standing order shall apply to tenders as if the person making the tender were a candidate for appointment.

## **19. FREEDOM OF INFORMATION ACT 2000**

- 19.1. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- 19.2. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the Chairman. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Clerk in respect of Freedom of Information requests set out under standing order 3.2.11 above.

## **20. MISCELLANEOUS**

- 20.1. Unless authorised by resolution no member of the Council shall in the name of, or on behalf of, the Council:
  - 20.1.1. Inspect any land and/or premises which the Council has a right or duty to inspect;
  - 20.1.2. Issue orders, instructions or directions.

## **WILCOT and HUISSH (with OARE) PARISH COUNCIL**

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- 20.2. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware, is of a confidential nature.
- 20.3. A Councillor in breach of the provisions of standing order 20.2 above may be removed from a committee or a sub-committee by a resolution of the Council.
- 20.4. An invitation to attend a meeting shall be sent together with the agenda to Wiltshire Council, for the attention of the Councillor for the Parish.
- 20.5. Unless the Council otherwise orders, a copy of each letter ordered to be sent to Wiltshire Council shall be transmitted to the Councillor as the case may be.
- 20.6. The Council delegates (Local Government Act 1972 Section 101) to the Clerk the power to act on behalf of the Council in an emergency or in order to protect a member from acting unlawfully.

### **21. STANDING ORDERS**

- 21.1. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery of the member's declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Council.
- 21.2. 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.
- 21.3. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.
- 21.4. The Chairman's decision as to the application of standing orders at meetings shall be final.
- 21.5. A Councillor's failure to observe standing orders more than 3 times in one meeting may result in him/her being excluded from the meeting in accordance with standing orders.

The Regulations were adopted by Wilcot and Huish (with Oare) Parish Council on 19 November 2013 and come into immediate effect.

Signed            Dee Nix  
Chairman

Dated 19/11/2013