



WEST END PARISH COUNCIL

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Standing Orders – 2021/2022



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Introduction

This document defines the procedures by which West End Parish Council operates. In the document, some Standing Orders are in bold typeface this indicates rules that are statutory requirements. Those in normal typeface are rules decided upon by the council to facilitate the orderly and effective running of council business.

1 Council Meetings

- 1.1 Council Meetings shall be in West End Parish on dates at times and places stated in the Notice of Meeting. **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.**
- 1.2 Councillors shall receive a summons to attend and an agenda for each meeting at least 5 clear days before the date of the meeting. Similarly, the public will also be given at least 5 days notice of each meeting. **When calculating the 5 clear days for notice of a meeting, the following days shall not count, the day on which notice is issued, the day of the meeting, weekends, Bank Holidays or Public Holidays.**
- 1.3 **Meetings shall be open to the public, unless the confidential nature of the business or another special reason means that the public's presence is prejudicial to the public interest. In this case, the public's exclusion from part or all of a meeting shall be by a resolution, which shall give the reasons for the public's exclusion.**
- 1.4 To facilitate an open council the public shall be entitled to be present and take part in all council meetings. In acknowledging the need for the public participation process to be fair, properly structured and well-ordered the following framework shall apply for public participation at all meetings:
 - i. At the beginning of each meeting, the Chair should welcome those attending and outline the approach to public participation. This is to define the Public's role at the Parish Council meeting. The public will then have a proper expectation of the meeting and they will know that the guidelines apply all people at the meeting. Indeed the public may themselves be encouraged to monitor those who unreasonably abuse the process.
 - ii. Those wishing to speak should wherever possible advise the Proper Officer before the meeting commences.
 - iii. The Chair will call the speakers in the order that the Proper Officer received their names and addresses.
 - iv. A general public session should take place during the first 15 minutes of the meeting on any subject that is relevant to that meeting, but not on the agenda. A statement or question should not exceed three minutes. Councillors will not discuss the issues raised but if possible, the Chair or officers will answer them. If an immediate satisfactory verbal response cannot be supplied a written one will be given later.
 - v. At the start of each agenda item, the Chair should first encourage public participation in it. An individual speaker shall only speak once per item and should not speak for more than 4 minutes. If this participation involves persons wishing to express opposing views, such participation should be limited to 10

minutes with equal time allowed for each side of the debate, i.e. 5 minutes each.

- vi. Where it is apparent that a number of people wish to express a common view, they should be encouraged to nominate a spokesperson. In such circumstances, the Chair will ask members of the public to express their support for a particular speaker by a show of hands.
 - vii. Repetition of points made by previous speakers should be discouraged.
 - viii. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
 - ix. The Chair should apply these guidelines sensibly and fairly. Rigid and inflexible application cannot be justified, but neither can they disregard.
 - x. The presentation of these guidelines should be in a manner that encourages people to participate in a productive and orderly fashion.
 - xi. Public Participation is of course excluded from matters of a confidential nature, as described in 1.3 above.
- 1.5 Any person shall raise their hand when requesting to speak. The decision whether to stand or sit when addressing the council should be the decision of the individual. Normal practice would be to use either a public address sound system or to stand and speak clearly, so that the whole meeting may hear.
- 1.6 Any person speaking at a meeting shall address their comments to the Chair.
- 1.7 Only one person shall speak at any one time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- 1.8 The Council will permit any person (including the press) who attends a council or committee meeting to report on the proceedings of the meeting. Reporting is defined to include :**
- **Filming, photographing or making an audio recording of proceedings at a meeting (e.g. using a mobile phone, tablet such as an i-pad, filming for a TV broadcast, recording for a radio broadcast);**
 - **Using any other means for enabling people not present at the meeting to see or hear proceedings as it takes place or later (e.g. live streaming)**
 - **Written reporting or commentary on the proceedings during or after a meeting or oral reporting or commentary after the meeting. Examples of written reporting or commentary include blogging, posting comments on Facebook or tweeting.**
- 1.9 **The Press and other public media shall have reasonable facilities provided at each meeting, to enable them to report on that meeting, providing under Standing Order 1.3 above they are entitled to be present.**
- 1.10 **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in the Chair's absence be done by, to or before the Vice Chair.**
- 1.11 **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice Chair, if present, shall preside. If both the Chair and the Vice-**

Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

1.12 Subject to 1.19 below, a majority of the Councillors present and voting shall decide all questions at a meeting.

1.13 The Chair 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 the Chair gave an original vote. (See also Standing Orders 2.8 and 2.9 below)

1.14 Unless standing orders provide otherwise, voting on any question shall be by a show of hands. Before any vote, any Councillor may request a recorded vote. If requested the minutes will record how each Councillor present voted on the question concerned.

1.15 The minutes of a meeting shall record the names of Councillors present and absent, subject to the following:-

- i. Councillors who are absent shall either be recorded as absent or as have given their apologies,
- ii. An apology to attend a meeting is accepted if it was received before the meeting and given to either the Parish Office or meeting chair.
- iii. A record of absence from a committee is only necessary, if a councillor is a member of that committee.

1.16 The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

1.17 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 (See also Standing Orders 29 and 7 below)

1.18 No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3, so:-

- i. For a full council meeting this means the quorate number shall be 5 councillors given the council size of 14 members.
- ii. For committees the quorate number is defined in its Terms of Reference

1.19 If a meeting is or becomes inquorate, the meeting shall come to a close and no further business transacted, any outstanding business will be completed at a subsequent council meeting.

1.20 Meetings shall not exceed a period of 2.5 hours. In exceptional circumstances, a majority of Councillors present at that meeting can suspend this particular Standing Order.

- 1.21 The Chair and Vice-Chair of the Council shall be ex officio members of any Council Standing Committee.

2 Annual Council Meetings

Annual Council meetings shall follow the meetings Standing Orders of chapter 1 above plus the items in this section.

- 2.1 In an election year, the Annual Council Meeting shall take place on or within 14 days following the day on which the new Councillors elected take office.**
- 2.2 In a non-election year, the Annual Council Meeting shall take place on the second Wednesday in May.
- 2.3 Annual Council Meetings shall take place at 7.15 p.m.
- 2.4 The Annual Council Meeting shall approve a calendar that defines the times and locations of other Full Council and Standing Committee meetings.**
- 2.5 The election of the Chair and Vice-Chair of the Council shall be the first business completed at the annual meeting of the Council, in West End:-**
- i. It shall be the norm that both the Chair and Vice-Chair shall serve one-year terms of office.
 - ii. At the end of the term of office Vice-Chair would normally be elected unopposed to the position of Chair the following year, unless the council believed the Vice Chair's conduct during the year as Vice-Chair means that the position of Chair should be contested.
 - iii. At the end of the term of office, the position of Vice-Chair would be a normal contested election, with the assumption that the Councillor elected would be the Chair the following year.
 - iv. Prior to the election of chair and vice chair each candidate is allowed to make a personal statement to explain why they should be elected to the position
 - v. This normal process does not preclude the Council:-
 - Deciding to elect any Councillor to the positions of Chair or Vice-Chair
 - The Chair or Vice-Chair standing again for the same position
- 2.6 Unless the Chair of the Council resigns or becomes disqualified, the Chair shall continue in office and preside at the annual meeting until the election of a successor at that annual meeting.**
- 2.7 Unless the Vice-Chair of the Council resigns or becomes disqualified, the Vice Chair, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- 2.8 In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, the Chair shall continue in office and preside at the annual meeting until the election of a successor at that annual meeting. In this case, the current Chair of the Council shall not have an original vote in respect of**

the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.

2.9 In an election year, if the current Chair of the Council has been re-elected as a member of the Council, the Chair shall continue in office and preside at the annual meeting until the election of a successor at that annual meeting. In this case, the current Chair may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.

2.10 Following the election of the Chair of the Council and Vice-Chair of the Council at the Annual Meeting of the Council, the order of business shall be as follows :

- i. In an election year, delivery by Councillors of their Declarations of Acceptance of Office.
- ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
- iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- iv. Review of the terms of references for committees.
- v. Receipt of nominations to existing committees. *Each councillor is required to serve on at least one of the committees.*
- vi. Appointment of any new committees, confirmation of the terms of reference, the number of members and receipt of nominations to them.
- vii. Review and adoption of appropriate Standing Orders and Financial Regulations.
- viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix. Review of representation on or work with external bodies and arrangements for reporting on them.
- x. Review of inventory of land and assets including buildings and office equipment.
- xi. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xii. Review of the Council and employee membership of other bodies.
- xiii. Establishing or reviewing the Council's complaints procedure.
- xiv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xv. Establishing or reviewing the Council's policy for dealing with the press/media
- xvi. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3 Proper Officer

3.1 The Council's Proper Officer shall be The Clerk to the Council. The Clerk shall fulfil the duties assigned to the Proper Officer in standing orders.

3.2 The Council's Proper Officer shall do the following.

- i. **Inform Councillors by hand delivery, post or email a notice confirming the time, date, venue and agenda for any Council meeting at least 5 clear days before the meeting.**
- ii. **Give public notice of the time, date, venue and agenda at least 5 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
- iii. Subject to Standing Orders 4 - Motions Requiring Written Notice below, include in the agenda all motions in the order received unless a Councillor has given written notice at least 7 days before the meeting confirming the withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy of the office, in accordance with Standing Order 3.2.i above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain Declarations of Acceptance of Office from Councillors.**
- viii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. 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.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be sealed using the Council's common seal and signed by the Chair of the Council and witnessed (See also model standing orders 13.1 and 13.2)
- xiv. Make prompt authorisation, approval, and instruction regarding any Council payments in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority
- xvi. Refer a planning application received by the Council to the Chair of the Council and Chair of the Planning & Highways Committee 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 Planning & Highways Committee.
- xvii. Retain custody of the seal of the Council and only use it when required to do so by a Council resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions Requiring Written Notice

- 4.1 In accordance with Standing Order 3.2i above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting. This is providing it is not one of the motions consistent with Standing Orders 5 – "Motions not Requiring Written Notice".
- 4.2 The Proper Officer shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received, unless the member giving a notice of motion has stated in writing they wish to move it at a later meeting or they wish to withdraw it.
- 4.3 If a resolution or recommendation 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.
- 4.4 If a resolution's subject matter is within the province of a committee of the Council, it shall first be proposed and seconded, and then referred to that committee without discussion for that committee to report on. Unless the Chair considers it a matter of urgency, in which case the Chair may allow the meeting that moved the motion to determine it, assuming that meeting has the authority to determine the motion.
- 4.5 Councillors may use council office staff, including the Proper Officer, to ensure the wording of the motion is suitable motion for the Parish Council to consider.
- 4.6 All written motions placed on any council meeting agenda before shall first require both a Councillor to both propose and second the motion.
- 4.7 If at a council meeting, any Councillor considers a motion is in breach of Standing Order 4.9 below, they then may propose a motion of non-determination as it is in breach of standing orders. This non-determination motion must be resolved before the original motion, if passed the original motion will fall because *"it does not relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue that specifically affects the Council's area or its residents."*
- 4.8 Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a Motions Book with the minute reference, which shall be open to inspection by the public. The Motions Book should also record the action resulting from the motions.
- 4.9 Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue that specifically affects the Council's area or its residents.

5 Motions not Requiring Written Notice

- 5.1 Motions in respect of the following matters shall not require written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of Councillors.

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- iii. To approve the accuracy of the minutes of the previous meeting.
- iv. To correct an inaccuracy in the minutes of the previous meeting.
- v. To dispose of business, if any, remaining from the last meeting.
- vi. To alter the order of business on the agenda for reasons of urgency or expedience.
- vii. To proceed to the next business on the agenda.
- viii. To close or adjourn debate.
- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- x. To appoint a committee or sub-committee for any Councillors (including substitutes) thereto.
- xi. To receive nominations to a committee or sub-committee.
- xii. To dissolve a committee or sub-committee.
- xiii. To note the minutes of a meeting of a committee or sub-committee
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise the sealing of legal deeds using the Council's common seal, the signatures of the Chair and witnesses (See standing orders 13.1 and 13.2 below).
- xvii. To authorise the payment of monies up to £5,000.
- xviii. To amend a motion relevant to the original or substantive motion under consideration, this shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct
- xxii. To give the consent of the Council for some action, where Standing Orders requires consent of the council.
- xxiii. To suspend any Standing Order except legally mandated ones.**
- xxiv. To adjourn the meeting.
- xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi. To answer questions from Councillors.

5.2 If a resolution's subject matter is within the province of a committee of the Council, it shall first be proposed and seconded, and then referred to that committee without discussion for that committee to report on. Unless the Chair considers it a matter of urgency, in which case the Chair may allow the meeting that moved the motion to determine it, assuming that meeting has the authority to determine the motion.

6 Rules of Debate

- 6.1 Consideration of motions included in an agenda shall be in the order that they appear, unless the Chair directs that for reasons of expediency a different order would be better.
- 6.2 Subject to Standing Order 3.2.iii above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 6.3 Subject to Standing Orders 4 above - Motions Requiring Written Notice, to consider a motion it shall first be proposed and seconded, only then will it become the substantive motion to initiate the debate.
- 6.4 Motions to amend the substantive motion shall be considered after they have been both proposed and seconded and shall, if required by the Chair, be reduced to writing and handed to the Chair who shall then:-
 - i. Determine in which order they are considered.
 - ii. Determine whether to debate them together or separately.
- 6.5 A Councillor may move amendments to their own motion. If the motion is seconded such an amendment shall also require the consent of the seconder.
 - i. In this case the amendment automatically becomes part of the substantive motion
 - ii. Likewise, if the mover and seconder of the substantive motion accept an amendment proposed by another Councillor, that too automatically becomes part of the substantive motion.
- 6.6 Any amendment to a motion:
 - i. Can be to leave out words;
 - ii. Can be to add words;
 - iii. Can be to leave out words and add other words.
- 6.7 During the course of a debating session:-
 - i. The mover of the substantive motion or an amendment shall have a right of reply at the end of the debate before voting takes place and this reply shall not exceed 4 minutes.
 - ii. A Councillor may address a point of order to the Chair by raising a hand and the Councillor who was speaking at the time shall immediately stop speaking. A Councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the irregularity in the meeting he is concerned by
 - iii. The Chair, whose decision shall be final, shall decide a point of order.
 - iv. The mover of the substantive motion or amendment may, with the consent of the seconder and of the meeting, withdraw the substantive motion or amendment. If there is no such consent then the debate shall continue. If withdrawn, the motion book shall record the motion as rejected "*because it was withdrawn by*

the proposer”.

- v. A Councillor shall be limited to one amend on a substantive motion.
 - vi. A Councillor shall only speak once on each substantive motion or amendment, except to make a point of order or to give a personal explanation of a point raised in the debate.
- 6.8 A carried amendment results in the substantive motion as amended becoming the new substantive motion. This new substantive motion can then have further amendment if required.
- 6.9 Subject to Standing Order 6.7 above, when a Councillor’s motion is under debate no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any Standing Order, except those that are mandatory.
- 6.10 Once the Chair is satisfied sufficient debate of the original motion and all amendments has taken place, and all amendments votes have taken place, the Chair shall ask the proposer of the original motion to exercise or waive their right of reply. After which the final vote on the substantive motion shall take place.
- i. The adjournment of a debate or of the meeting shall not prejudice the mover’s right of reply at the resumption.

7 Written Questions

- 7.1 A Councillor may ask a written question of the meeting Chair concerning any business of the Council meeting provided 5 clear days notice of the question have been given to the Proper Officer, before the meeting concerned.
- i. The meeting Chair will then research the answer and have an answer ready for the Councillor at the meeting.
 - ii. In researching the answer, the Chair may have the assistance of the Proper Officer and any Council Staff as required.
- 7.2 Each meeting shall have a question time session to answer any written questions not related to meeting agenda items. On each agenda item, answers to related written questions are also given.
- 7.3 No discussion shall take place on written questions and answers.
- Amended February 2022

8 Minutes

- 8.1 Circulation to all Councillors and published on the council website of draft minutes of a Council meeting should take place no later than seven working days after the meeting.
- 8.2 Prior to this publication, the Chair and vice-Chair of the meeting should be sent a copy to authorise publication, this should take place no later than four working days after the meeting:
 - i. The Chair and vice-Chair should respond before the seven working days have elapsed, no response is taken to mean they are ok to publish.
 - ii. The Chair and vice-Chair should notify any corrections to the office no later than six working days after the meeting.
 - iii. All published draft minutes should be watermarked DRAFT.
- 8.3 No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion raised to correct any inaccuracy in the minutes shall be in accordance with Standing Order 5.1.iv above.
- 8.4 A resolution shall confirm the accuracy of any previous meeting minutes, including any corrective amendments, after confirmation the Chair shall sign them. This is to signify that the meeting believe them to be a correct and accurate record of the previous meeting.
- 8.5 Upon a resolution that confirms the accuracy of the minutes of a meeting, the Proper Officer shall ensure the scrapping of any previous draft minutes or recordings of the meeting.
- 8.6 All main items on the minutes shall have one of three sentences at the end to indicate the result of the item:
 - i. If the item is one which the meeting has the power to determine on behalf of the council it shall say in bold “**The meeting resolved that ...**”
 - ii. If the item is one which the meeting does not the power to determine on behalf of the council it shall say in bold “**The meeting recommends that ...**”
 - iii. If the item is one that has no decision to make it shall say in bold “**The meeting noted ...**”

9 Disorderly Conduct

- 9.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 9.2 If, in the opinion of the Chair, there has been a breach of Standing Order 9.1 above, the Chair shall express that opinion. After the Chair’s announcement, any Councillor (including the Chair) may move to silence or exclude that person from the meeting, and then once seconded a vote taken without any discussion.

- 9.3 If disobeyed, the Chair may enforce a resolution made in accordance with Standing Order 9.2 above by taking any reasonable steps necessary, including the adjournment the meeting.
- 9.4 *If an individual Councillor behaves in a disorderly way, the Chair may move to suspend that person; or impose sanctions on that person, within legally accepted guidelines*

10 Rescission of Previous Resolutions

- 10.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least four Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a Committee.
- 10.2 When a special motion or any other motion moved pursuant to standing order 10.1 above has been disposed of, no similar motion may be moved within a further 6 months about the same issue.

11 Voting on Appointments

- 11.1 If the Proper Officer receives more than two nominations for a position, then the Council shall use the following procedure to determine the position in the case of a single post or more positions in the case of committee selections.
- i. The candidates shall be voted for by a show of hands.
 - ii. In this system count rounds continue until the require number of candidates have been elected.
 - iii. If in the final round of counting there is a tie, the Chair's casting vote may settle it;

12 Expenditure

- 12.1 Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations, which the public can inspect either on the Council's website or in the Parish Office.
- 12.2 The Council shall review its Financial Regulations once a year.
- 12.3 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.

13 Execution and Sealing of Legal Deeds

- 13.1 The Proper Officer shall only execute a legal deed on behalf of the Council after authorisation by a council resolution.

13.2 In accordance with a resolution made under Standing Order 13.1 above, the Proper Officer shall use the Council's common seal for sealing a legal deed. The Proper Officer shall apply it in the presence of a Councillor, who shall sign the deed as witness.

14 Standing Committees

14.1 The Council can appoint Standing Committees at any meeting of the full council, and:

- i. Shall determine their terms of reference;
- ii. May permit committees to determine the dates of their meetings;
- iii. Shall first appoint and determine the term of office of Councillors on the Standing Committee so they shall to hold office no later than the next Annual Meeting, it shall then:
 - Appoint both the Chair and vice-Chair of the Standing committee; voting by a show of hands
 - Recommend that no one Councillor holds no more than one post of Chair or vice-Chair of the Council or a Standing committee.
- iv. Shall allow the substitution of any Councillor appointed to a Committee by another Councillor to attend the meeting in their stead. Providing the absent Councillor has given their apologies to the meeting
- v. If a councillor substitution is confirmed by the Proper Officer 7 days before the meeting to the then the substitute councillor can make the meeting quorate, otherwise the meeting must be quorate without the substitute councillor.
- vi. Once a councillor has appointed, in accordance with standing order 14.1 iv above, a substitute member for committee meeting, the substituted councillor can participate in any vote at that meeting;
- vii. Shall allow any Councillor to attend any committee meeting of the Council and fully participate in any debate of that committee, however if they are not a member of that committee or a substitute member of that committee they cannot participate in any vote at that committee meeting;
- viii. May in accordance with standing orders, dissolve a committee at any time.

14.2 The Council currently has five Standing Committees, whose terms of reference are defined in Appendix A, these committees are:-

- i. Personnel Committee,
- ii. Policy & Resources Committee,
- iii. Recreation & Environment Committee,
- iv. Planning & Highways Committee,
- v. and Standards Panel

14.3 The Standing Committees may have delegated powers to determine matters on the behalf of the whole Council and they may make recommendations to Full Council or another Standing Committee for them to determine the final decision. These powers of delegation shall be defined the Committees Terms of Reference, in Appendix A, in the following manner:-

- i. Delegated items shall start with the wording “The committee may determine” or “The committee is responsible for” and shall be recorded in the minutes as resolved items.
- ii. Non-delegated items shall start with the wording “The committee may recommend” and shall be recorded in the minutes as recommended items.

15 Sub-Committees and Advisory Committees

15.1 Unless there is a Council resolution to the contrary, the Council and every Standing Committee may appoint a Sub-Committee or Advisory Committee whose terms of reference and membership shall be determined by resolution of the Council or Standing Committee.

15.2 Both Sub-committees and Advisory Committees:-

- i. Should always report to the council body that set them up.
- ii. Should always be set up as a task and finish type group, with clear objectives and timeframe by which their work must be complete.
- iii. Unlike Standing Committee or Full Council meetings, these meetings need not be open to the public to attend, but they can be.
- iv. Shall allow that any Councillor may attend any meeting, the councillor can fully participate in any work of that committee, however if they are not a member of that committee they cannot participate in any vote on business at that committee.
- v. Cannot have substitute members because the idea is for them to be quick working task and finish groups and this is not possible if the membership changes from meeting to meeting.
- vi. Should arrange the meeting dates and times so that a quorate level of two-thirds of the committee members is possible.
- vii. Cannot appoint Sub-committees and Advisory Committees of their own.

15.3 Advisory Committees:-

- i. Can be partly or wholly of persons who are non-councillors.
- ii. They can only advise the council body that appointed them and not take decisions on behalf of that body.

15.4 Sub-committees:-

- iii. Must be entirely composed of Councillors.
- iv. They can both advise the council body and/or take decisions on behalf of that the council body that appointed them, depending on the terms of reference given to them.

16 Extraordinary Meetings

16.1 The Chair of the Council may convene an extraordinary meeting of the Council at any time.

16.2 Four Councillors may convene an extraordinary council meeting, if the Chair of the Council does not or refuses to call an extraordinary council meeting within 7 days of the same four Councillors requesting one. The four Councillors must then sign statutory public notice giving the time, venue and agenda for the extraordinary council meeting.

16.3 The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.

16.4 Two Councillors may convene an extraordinary committee meeting, if the Chair of a committee does not or refuses to call an extraordinary committee meeting within 7 days of the same two Councillors requesting one. The two Councillors must then sign a statutory public notice giving the time, venue and agenda for the extraordinary committee meeting.

17 Accounts and Financial Statement

17.1 All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations, which the Council shall review at least annually.

17.2 The Responsible Financial Officer shall present to each Councillor:-,

- i. A Quarterly Financial Statement, as soon as practicable each quarter, after 31st March, 30th June, 30th September and 31st December, summarising the Council's receipts, payments and balances held for the quarter. This statement should include a comparison with the financial year's budget.
- ii. An Annual Financial Statement, prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to the 31st March, before the end of the following month of May.
- iii. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, for the Council's formal approval before
30 June.

17.3 The Responsible Financial Officer shall supply to each Councillor serving on the Policy & Resources Committee, as soon as practicable, after the end of each calendar month a statement summarising the Council's receipts and payments for that month, for discussion and approval at the monthly Policy & Resources Committee meeting.

18 Budgets/Precepts

18.1 The Council shall approve written budgets for the coming financial year at its meeting before the end of January.

18.2 Any committee desiring to incur expenditure shall give the Proper Officer a written budget of the expenditure recommended for the coming year no later than December.

19 Inspection of Documents

- 19.1 Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of their 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.
- 19.2 The minutes of meetings of the Council and its Standing Committees are public documents and shall be available for inspection by the public via the Parish Office and the website, the only exception to this are minuted items discussed under confidential business as per Standing Order 1.3, these items shall be open to inspection by Councillors only.

20 Unauthorised Activities

- 20.1 Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
- i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

21 Confidential Business

- 21.1 Councillors shall not disclose information given in confidence or which they believe, or ought to be aware of being, of a confidential nature.
- 21.2 The Council may remove by resolution, a Councillor in breach of the provisions of Standing Order 21.1 above, from a committee or a sub-committee.
- 21.3 Advisory Committees should not discuss matters of a confidential nature where members of the public are committee members.

22 General Power of Competence

- 22.1 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.
- 22.2 The Council's period of eligibility begins on the date that the Council makes a resolution under Standing Order 22.1 above and expires on the day before the Annual Meeting of the Council that takes place in the year of ordinary elections.
- 22.3 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 General Power of Competence, which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 22.2 above.

23 Matters Affecting Council Employees

- 23.1 If a meeting considers any matter personal to a Council employee, the Council must first decide whether they should exclude the press and public in respect of Standing Order 1.3 above.
- 23.2 Subject to the Council's policy regarding absences from work, the next Personnel Committee meeting shall receive a report from the Proper Officer on any absence from work due to illness or urgency.
- 23.3 The Chair of the Personnel Committee, the Chair and the Vice-Chair of the Council shall perform an annual appraisal/review of the Clerk to the Council, and they shall keep a written record of it. They shall then report this appraisal/review to the Personnel Committee, who shall approve of it by resolution.
- 23.4 Subject to the Council's policy regarding the handling of grievance matters, the Clerk to the Council shall in respect of an informal or formal grievance matter contact the Chair of the Council or in the case of absence, the Vice-Chair of the Council, and the Personnel Committee shall receive a report on this matter, which they shall progress by resolution.
- 23.5 Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised relates to the Chair or Vice-Chair of the Council, the Parish Clerk shall inform the Personnel Committee Chair and the Personnel Committee shall receive a report on it, which they shall progress by resolution.
- 23.6 Any persons 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.
- 23.7 The Council shall keep written records relating to employees secure. The Council Office staff shall keep secure all paper records under lock and shall protect all electronic records by password.
- 23.8 The Parish Clerk shall only make available records relating to an employee's absence due to ill health or detailing medical conditions to those persons with responsibility for the same employee.
- 23.9 Only persons with line management responsibilities shall have access to employee records referred to in Standing Orders 23.7 and 23.8 above if so justified.
- 23.10 Access to specific records will only be available to individuals with line management responsibility for the relevant employee(s).

24 Freedom of Information Act 2000

- 24.1 The Council shall process all requests for information held in accordance with the Council's Publication Scheme in respect of handling requests under the Freedom of Information Act 2000.

- 24.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Policy & Resources committee. 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 Proper Officer in respect of Freedom of Information requests set out under Standing Order 3.2.x above.

25 Relations with the Press/Media

- 25.1 The Council shall process all requests from the press or other media for an oral or written statement or comment in accordance with the Council's policy in respect of dealing with the press and/or other media. The definition of which is in Standing Orders 25.1 and below.
- 25.2 Only the Parish Clerk, the Chair of the Council or the relevant Standing Committee Chair may make declarations and statements on behalf of the Council to the press and/or other media, provided this is only to clarify agreed Council policy.
- 25.3 Other Parish Councillors and employees making declarations/statements to the press and/or other media must make clear they are not speaking on behalf of the Council, but are expressing a personal opinion. This also applies to the Parish Clerk, the Chair of the Council or all Standing Committee Chair when declarations or statements are not on agreed Council policy.

26 Liaison with County or Borough Councillors

- 26.1 The Proper Officer shall send an invitation to attend a meeting of the Full Council, together with the agenda, to the County and Borough Councillors representing each of West End Parish Councils electoral wards.
- 26.2 Unless the Council otherwise orders, a copy of each letter sent to the County and Borough shall be sent to County and Borough Councillors representing each of West End Parish Councils electoral wards.

27 Financial Matters

- 27.1 The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. The accounting records and systems of internal control.
 - ii. The assessment and management of financial risks faced by the Council;
 - iii. The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually.
 - iv. The inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments.
 - v. Procurement policies (subject to Standing Order 27.2 below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.

- 27.2 When deciding on contractual matters, Councillors or members of the council staff must declare to council meetings close relatives or acquaintances, where that person is a proposed supplier of goods, materials, or services to the Council. This is to ensure transparency in dealing with public funds.
- 27.3 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimate value above £5,000, formal tendering will be required with a minimum of three quotes received.
- 27.4 The Council shall procure any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 based on a formal tender as summarised in Standing Order 27.5 below.
- 27.5 Any formal tender process shall comprise the following steps:
- i. The Council shall put a public notice of intention to place a contract in a local newspaper.
 - ii. The Council shall draw up a requirement specification of the goods, materials, services and the execution of works needed.
 - iii. Suppliers shall send the Proper Officer their tender responses, in a sealed marked envelope by a stated date and time.
 - iv. The Proper Officer and at least one Councillor shall open submitted Tenders only after the stated closing date and time.
 - v. The Proper Officer will then assess the Suppliers and report on all tenders to the appropriate meeting of Council or Committee.
- 27.6 Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote, but they must be satisfied that it is the best value in terms of the price combined with the quality of the tender.
- 27.7 Where the value of a contract is likely to exceed 200,000 euros (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract. Then if either of those Regulations applies, the Council must comply with EU procurement rules.**

28 Complaints Procedure

- 28.1 Any complaint about a procedure or administration notified to the Clerk or a Councillor should be dealt with as follows :
- If it is not possible to satisfy the complainant verbally, the complainant shall be asked to put the complaint in writing to the Clerk or the Chairman of the Council

- On receipt of a written complaint the Clerk or Chairman shall (except where the complaint is about his/her own actions) try to settle the complaint directly with the complainant.
- If a complaint is received about the behaviour of the Clerk or a Councillor no action shall be taken without first notifying the Clerk or the Councillor, giving them an opportunity to comment and advising them how it is intended to attempt to settle the complaint.
- Where the Clerk or Chairman receives a written complaint direct about his/her own actions, he/she shall refer the complaint to the Council.
- The Chairman or Clerk shall report to the next meeting of the Council any actions taken regarding complaints received..
- The Chairman or Clerk shall bring any written complaint which cannot be settled, to the next meeting of the Council, and the Clerk shall notify the complainant of the date on which the complaint will be considered.
- The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public, but any decision on a complaint shall be announced at the Council meeting in public.
- The Council's decision and the nature of any action to be taken shall be communicated in writing to the complainant.

28.2 Any complaint against a Councillor who is perceived to have breached the Code of Conduct will be dealt with as defined in 30- Allegations of Breaches of the Code of Conduct

28.3 If, however, the Standards Panel of West End Parish Council are unable to reach a satisfactory conclusion to their investigation, Eastleigh Borough Council will investigate the alleged breach under their Investigatory Framework. Contact : The Monitoring Officer, Eastleigh Borough Council, The Civic Offices, Leigh Road, Eastleigh, SO50 9YN.

29 Code of Conduct

29.1 All Councillors shall observe the Code of Conduct adopted by the Council

29.2 All Councillors shall undertake training in the Code of Conduct within 12 months of the delivery of their Declaration of Acceptance of Office.

29.3 All Councillors shall observe The Member Officer Protocol adopted by the Council – Appendix C - The Member Officer Protocol

29.4 Failure to observe either paragraph 29.1, paragraph 29.1, or paragraph 29.3. will be deemed a breach of the Code of Conduct and could be dealt with under the procedures defined in 30- Allegations of Breaches of the Code of Conduct

30 Allegations of Breaches of the Code of Conduct

- 30.1 On receipt of a notification that there has been an alleged breach of the Code of Conduct, the Proper Officer shall refer it to Full Council under Exempt Business. Full Council is empowered to appoint a Standards Panel of four councillors if necessary.
- 30.2 If the Proper Officer gives notification of a complaint, the Proper Officer shall first notify the Chair of the Council, or in the case of absence the Vice-Chair, who shall in turn nominate a person to assume the Proper Officer's duties set out in the remainder of this Standing Order, until the complaint is resolved.
- 30.3 Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- 30.4 The Council, including the Proper Officer and the Standards Panel Chair, shall keep the notification subject matter confidential and, insofar as it is possible to do so by law, shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
- i. The Proper Officer should draft the summonses and agendas to mask the identity and subject matter of the complaint.
 - ii. The Proper Officer should not publicly publish any background papers containing the information set out in Standing Order 30.1 above.
 - iii. The Standards Panel Chair should exclude, as appropriate, the public and press from meetings.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- 30.5 Standing Order 30.4 above should not be taken to prohibit the Council (whether through the Proper Officer or the Chair of the Standards 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.
- 30.6 The Standards Panel shall have the power to:
- i. Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
 - ii. Seek and share information relevant to the complaint.
 - iii. 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.
- 30.7 References in Standing Order 30 to a notification shall refer to a communication of any kind that relates to a breach or an alleged breach of the Code of Conduct by a Councillor.
- 30.8 The Standards Panel will determine the time scale for the investigation.

30.9 The Standards Panel will report its findings back to full Council under Exempt Business. The full Council will make any necessary decision.

31 Variation, Revocation and Suspension of Standing Orders

31.1 The Council may suspend by resolution any or every part of the Standing Orders, except those that are mandatory by law, in relation to any specific item of business.

31.2 The Council may amend by resolution any or every part of the Standing Orders, except those that are mandatory by law, providing that at least two thirds of the Councillors present at a Full Council meeting vote in favour of the amendment.

32 Standing Orders Given to Councillors

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

32.2 The Chair's decision as to the application of Standing Orders at meetings shall be final.

32.3 If a Councillor, fails to observe Standing Orders more than 3 times in one meeting, in accordance with Standing Orders 9, the meeting can decide to exclude that Councillor from the meeting.

33 Procedure for Filling a Casual Vacancy

33.1 A casual vacancy will occur when :

- a) A local councillor fails to make his declaration of acceptance of office within the proper time
- b) Notice of resignation is received
- c) Notice of death is received
- d) Election declared void
- e) Councillor no longer qualified to serve by law

To fill a vacancy :

- a) The Clerk must advise EBC of the vacancy as soon as possible and make the declaration within a reasonable time – generally at the next public meeting of the Council.
- b) The Council must advertise the vacancy in order that ten electors from the relevant ward have a period of 14 days to claim an election to fill this vacancy. If this is not claimed, the Parish Council can then advertise the vacancy to be filled by co-option
- c) Nominees must complete a formal application form

West End Parish Council – Standing Orders

- d) No nominee can be presented to full Council until two references have been received in support of their application from referees who can include a current or ex-employer or someone eligible to sign a passport application.
- e) The Clerk will circulate eligible nominations received to all Councillors
- f) The nominees would then be invited to attend the next full Council meeting which will act as the Selection meeting when Councillors would vote on filling the vacancy by co-opting a nominee

At the selection meeting which will be the next full Council meeting :

- a) The Parish Clerk will read out the valid nominations
- b) Before a vote is taken on the co-option, the applicant must give a presentation of up to four minutes duration. Councillors may arrange an alternative date to hear an applicant's presentation
- c) Members of the public present at the meeting are asked for comments
- d) The vote shall then take place by a show of hands
- e) The successful candidate must receive an absolute majority vote of those present and voting. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting
- f) No discussion will be allowed once the vote has been taken
- g) As a matter of policy, West End Parish Council will not seek to co-opt within six months of a Parish Council election unless the number of serving councillors falls below nine

TERMS OF REFERENCE OF COMMITTEES

A.1 POLICY AND RESOURCES COMMITTEE

A.1.1 Dates and times of meeting

- This Committee shall meet monthly on the fourth Wednesday of the month, apart from August. Although a meeting will be called if business dictates this is necessary.

A.1.2 Membership

- Committee membership shall consist of up to 6 Councillors, 2 *ex-officio* Councillors and the Treasurer
- The quorate number for committee shall be 4 committee members

A.1.3 Aims & Objectives

This committee shall deal with all matters relating to the council finance and policy, in particular:

- The committee is responsible receiving and dealing with any special references from the Council
- The committee is responsible for the financial and land resources of the Council. This shall include arrangements for the acquisition, allocation, disposal, inventory and insurance of any land, buildings or substantial property and for provision of capital equipment.
- The committee may determine urgent action in the interest of the Council where time precludes normal Council or Committee consideration of a particular matter.
- The committee may determine expenditure on behalf of the Council within the budgetary limits as prescribed annually.
- The committee will recommend as necessary for changes in Committee structure, alterations to Standing Orders, administrative, financial and executive arrangements of the Council.
- The committee will recommend to Full Council new policy objectives and will guide the council in their formation, as necessary.
- The committee will recommend to Full Council an annual budget each financial year.
- The committee is responsible for determining grant applications.
- The committee is responsible for considering the recommendations of the Standing Committees when setting the Annual budget and precept.
- The committee may determine charges for the use of facilities provided by the Council
- The committee may determine expenditure on behalf of the Council within the budgetary limits as prescribed annually to the committee.
- The Committee is responsible to ensure that the finances of the Youth Club and the accounts are scrutinised and accounts audited on a regular basis

A.2 PERSONNEL COMMITTEE

A.2.1 Dates and times of meeting

- This Committee shall meet bi- monthly on the first Wednesday of the month

A.2.2 Membership

- Committee membership shall consist of up to 7 Councillors and 2 *ex-officio* Councillors
- ***Councillors should not sit on this Committee until they have been a councillor for over 12 months in order that they are familiar with members of staff and their roles***
- The quorate number for committee shall be 3 committee members
- The Chair of this committee cannot also be the Chair or vice-Chair of the Council, in order that the committee can fulfil its obligations under Standing Order 23- Matters Affecting Council Employees

A.2.3 Aims & Objectives

This committee shall deal with all matters relating to the council staff, in particular:

- The committee is responsible for advising, supporting, encouraging, helping, providing and giving the Parish Staff at all levels of employment the opportunity to express their interests, concerns, difficulties and training needs to ensure the smooth running of work requirements and working conditions within the Parish.
- The committee is responsible for matters relating to the Council's employees, including the terms and conditions of employment of staff and the issue of any contracts of employment.
- The committee is responsible for determining the approval of non-councillors to represent the Council on outside bodies, as defined in A.6 - Outside Bodies.
- The committee is responsible for monitoring the staff requirements needed to undertake the duties and work within the Parish by regularly undertaking Appraisals with every member of staff.
- The committee is responsible for reviewing the effectiveness of the organisational and administrative processes of the Council.
- The committee is responsible for offering a grievance procedure to any member of staff in the event of any problems or difficulties arising between line management, supervisory or any level of management within the Parish.
- The committee may determine expenditure on behalf of the Council within the budgetary limits as prescribed annually to the committee.
- The committee is responsible for recruitment/selection and duty of care of personnel
- The committee may determine the salary review within budgetary limits
- The committee is responsible for monitoring staff development and training
- The committee is responsible for reviewing and updating personnel policies such as health & safety, risk assessments, etc.
- The committee is responsible for being aware of and ensure compliance of statutory requirements in relation to council staff

- The committee is responsible for advising the Parish Council and the Clerk of the recommendations proposed, and decisions made.
- The committee will recommend to the Policy & Resource Committee the level of budget that it believes that it requires in the following financial year.

A.3 RECREATION AND ENVIRONMENT COMMITTEE

A.3.1 Dates and times of meeting

- This Committee shall meet monthly on the third Wednesday of the month, apart from August. Although a meeting will be called if business dictates this is necessary.

A.3.2 Membership

- Committee membership shall consist of up to 7 Councillors and 2 *ex-officio* Councillors.
- The quorate number for committee shall be 4 committee members

A.3.3 Aims & Objectives

This committee shall deal with all matters relating to recreation and environmental issues, in particular:

- The committee is responsible for public rights of way, recreation grounds, play areas, public open space, allotments, amenity land and connected uses, and signage thereof. This committee would normally have an advisory committee to liaise with the neighbours and community with respect to allotment issues.
- The committee is responsible for advising, administering and arranging the activities of functions connected with mains power relating to entertainment, sports and play equipment.
- The committee is responsible for reviewing charges for the facilities within the control of this Committee.
- The committee is responsible for the repair and maintenance of public seats, litter bins, and any other equipment used to provide an amenity and any equipment used for the maintenance of such structures and equipment and for the maintenance of recreation grounds and public open spaces.
- The committee may determine expenditure on behalf of the Council within the budgetary limits as prescribed annually to the committee.
- The committee will recommend to the Policy & Resource Committee the level of budget that it believes that it requires in the following financial year.
- The committee is responsible for the wellbeing and standing of the Youth Club, its hirers and users. This committee would normally have an advisory committee to liaise with the neighbours and community with respect to Youth Club matters.
- The committee is responsible for supporting the Youth Club Committee and the Youth Workers, and members to achieve their full potential.

A.4 PLANNING AND HIGHWAYS COMMITTEE

A.4.1 Dates and times of meeting

- This Committee shall meet monthly on the first Tuesday of the month

A.4.2 Membership

- Committee membership shall consist of up to 7 Councillors and 2 *ex-officio* Councillors.
- The quorate number for committee shall be 3 committee members

A.4.3 Aims & Objectives

This committee shall deal with all matters relating to planning and highways issues, in particular:

- The committee will recommend to the Council all action required to be taken with local planning, highway and associated authorities and utility boards on matters relating to local and district highways, local infrastructure, road safety, river and flood protection, utility services and similar matters affecting the parish.
- The committee may determine all planning applications and appeals affecting the parish and shall without reference to the Council make known its comments thereon to the local planning authority within the statutory time limits imposed.
- The committee will recommend to the Council any further action the Council may wish take with respect to a planning applications.
- The committee is responsible for appointing a member(s) or other suitable person to represent the inhabitants of parts or the whole of the parish at any public or other inquiry by a Ministry or other public body, under any act relating to development control or another aspect of the Council's responsibilities.
- The committee is responsible for liaising with any body, organisation or department of any Local Authority or utility board on any matter within the Committee's area of responsibility.
- The committee is responsible for monitoring the application and effectiveness of Tree Preservation Orders in the Parish and make appropriate recommendations in this connection to the responsible Authority.
- The committee may determine expenditure on behalf of the Council within the budgetary limits as prescribed annually to the committee.
- The committee will recommend to the Policy & Resource Committee the level of budget that it believes that it requires it the following financial year.

A.5 STANDARDS PANEL

A.5.1 Dates and times of meeting

- This Committee shall meet as required

A.5.2 Membership

- This Committee shall consist of 4 Parish Councillors
- The quorate number for committee shall be 4 members

A.5.3 Aims & Objectives

- The committee is responsible for investigating any alleged breach or breaches of the Code of Conduct by a West End Parish Councillor.
- Full Council will appoint this panel as and when necessary and can include any Councillor, depending on the allegation(s) under investigation.

A.6 OUTSIDE BODIES

The Council has a number of representatives on various outside bodies that are of interest to the Parish area or directly affect the population of West End. These representatives can either be Councillors or local residents prepared to represent the views of the Parish and report back to Parish.

The decision on whether the person representing the Parish must be a Councillor or could be local resident depends on the nature of the outside body.

The representative must be a Councillor if:-

- They will be voting on changes to council financial subscriptions to that body
- They could commit the Council to make a financial contribution to that body

The representative can be either a Councillor or local resident if:-

- They could be a member of that body as a local resident without being a councillor
- The only function of the representative is to pass comment/listen at the meeting and then report to the parish council.

Based on these principles the current list of outside body representatives is defined as:-

| OUTSIDE BODY | TYPE OF REPRESENTATIVE CLLR OR CLLR/PUBLIC | OUTSIDE BODY | TYPE OF REPRESENTATIVE CLLR OR CLLR/PUBLIC |
|----------------------------------|--|--------------------------------|--|
| West End Youth Club Committee | Councillor only | West End Carnival Association | Councillor only |
| Friends of West End Copse | Either a Councillor or a member of public | Friends of Hatch Grange | Either a Councillor or a member of public |
| Hilldene Community Association | Councillor only | Wildern Management Committee | Either a Councillor or a member of public |
| Transport Liaison Representative | Either a Councillor or a member of public | Airport Consultative Committee | Either a Councillor or a member of public |

Appendix B - Code of Conduct for Members

1. Application

This Code of Conduct applies to you whenever you are acting in your capacity as a member or are giving the impression of acting in your capacity as a member of West End Parish Council, including –

- 1.1 at formal meetings of the Council, its committees and sub-committees,
- 1.2 when acting as a representative of the authority
- 1.3 in taking any decision as councillor
- 1.4 in discharging your functions as a councillor
- 1.5 at site visits

2. General Conduct

You must –

- 2.1 provide leadership to the authority and communities within its area, by personal example
- 2.2 respect others and not bully any person
- 2.3 recognise that officers are employed by and serve the whole authority
- 2.4 respect the confidentiality of information which you receive as a member –
 - 2.4.1 not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and
 - 2.4.2 not obstructing third parties' legal rights of access to information
- 2.5 not conduct yourself in a manner which is likely to bring the authority into disrepute
- 2.6 use your position as a member in the public interest and not for personal advantage
- 2.7 accord with the authority's reasonable rules on the use of public resources for private and political purposes
- 2.8 exercise your own independent judgement, taking decisions for good and substantial reasons –
 - 2.8.1 attaching appropriate weight to all relevant considerations including, where appropriate, public opinion and the views of political groups
 - 2.8.2 paying due regard to the advice of officers, and in particular to the advice of the statutory officers, and
 - 2.8.3 stating the reasons for your decisions where those reasons are not otherwise apparent
- 2.9 account for your actions, particularly by supporting the authority's scrutiny function
- 2.10 ensure that the authority acts within the law.

3. Disclosable Pecuniary Interests

You must –

- 3.1 comply with the statutory requirements to register your disclosable pecuniary interests and you must disclose, leave the room and not participate in respect of any matter in which you have a disclosable pecuniary interest
- 3.2 ensure that your register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any changes in respect of your disclosable pecuniary interests
- 3.3 make verbal declaration of the existence of any disclosable pecuniary interest at any meeting at which you are present at which an item of business which affects or relates to the subject matter of that interest is under consideration, at or before the consideration of the item of business or as soon as the interest becomes apparent
- 3.4 “Meeting” means any meeting organised by or on behalf of the authority, including –
 - 3.4.1 any meeting of the Council, or a committee or sub-committee of Council
 - 3.4.2 in taking a decision as a councillor or as a member of any body of the Council; and
 - 3.4.3 at any site visit to do with business of the authority

4. Other Interests

- 4.1 In addition to the requirements of Paragraph 3, if you attend a meeting at which any item of business is to be considered and you are aware that you have a non-disclosable pecuniary interest or non-pecuniary interest in that item, you must make verbal declaration of the existence of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent
- 4.2 You have a non-disclosable pecuniary interest or non-pecuniary interest in an item of business of your authority where –
 - 4.2.1 a decision in relation to that business might reasonably be regarded as affecting the well-being or financial standing of you or of a member of your family or a person with whom you have a close association to a greater extent than it would affect the majority of the Council Tax payers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority’s administrative area, or
 - 4.2.2 it relates to or is likely to affect any interests listed in the Table in the Appendix to this Code, but in respect of a member of your family (other than a “relevant person”) or a person with whom you have a close association and that interest is not a disclosable pecuniary interest

5. Gifts and Hospitality

- 5.1 You must, within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £50 which you have accepted as a member from any person or body other than the authority.
- 5.2 The Monitoring Officer will place your notification on a public register of gifts and hospitality.

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- 5.3 This duty to notify the Monitoring Officer does not apply where the gift, benefit or hospitality comes within any description approved by the authority for this purpose.

NOTES

Disclosable Pecuniary Interests

The duties to register, disclose and not to participate in respect of any matter in which a member has a Disclosable Pecuniary Interest are set out in Chapter 7 of the Localism Act 2011.

Disclosable pecuniary interests are defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 as follows –

| Interest | Prescribed description |
|---|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| Contracts | Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority— (a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged. |
| Land | Any beneficial interest in land which is within the area of the relevant authority. |
| Licences | Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer. |
| Corporate tenancies | Any tenancy where (to M’s knowledge)— (a) the landlord is the relevant authority; and (b) the tenant is a body in which the relevant person has a beneficial interest. |
| Securities | Any beneficial interest in securities of a body where— (a) that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; and (b) either— (i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one |

class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

For this purpose –

“the Act” means the Localism Act 2011;

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of an industrial and provident society;

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of section 30(1) or section 31(7), as the case may be, of the Act;

“relevant person” means M or any other person referred to in section 30(3)(b) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix C - The Member Officer Protocol

1 Introduction

- 1.1 West End Parish Council exists to serve the interests of its parish. Members (councillors) and officers have a joint responsibility to ensure that they work collaboratively to ensure an efficient, transparent and democratic Council focused on these interests.
- 1.2 Members and officers will conduct an annual review of the Member Officer Protocol and its application, to ensure continued high standards of relations between members and officers.
- 1.3 The Council has agreed the following protocol about the relationship between members and the officers in order to clarify roles and responsibilities.
- 1.4 Given the variety and complexity of such relations, this protocol cannot be prescriptive or cover all eventualities. However, it does aim to be instructive and offer guidance on some common issues and provide points of principle that can be applied to other issues that might arise.

2 Roles of Members and Officers

- 2.1 Members and officers depend upon each other in carrying out the work of the Council.
- 2.2 Members are responsible to their electorate for so long as their term of office lasts and have a duty to act in the best interests of the electorate and the Council. Officers are responsible to the Council.
- 2.3 Members ensure the Council and its officers are aware of the concerns of their electorate and help decide the overall direction of the Council and, where appropriate, act in a supporting role in carrying out the work of the Council. Members have personal, individual and collective responsibility for the Council and its activities. They are responsible for ensuring that adequate management and financial arrangements are in place and they monitor the performance, development, continuity and overall well-being of the Council. Members may be designated to act in a certain role or as a positive focus for a particular section of the Council's activities. However, the Council is not entitled to delegate decision-making on behalf of the Council to individual members. The Council is entitled to delegate certain decision-making and functions to an officer or to committees of members.
- 2.4 Officers give advice to the members and carry out the decisions and work of the Council. Officers manage and provide the services for which the Council has responsibility. They are accountable for the efficiency and effectiveness of those services and for proper professional practice in discharging their responsibilities and for taking decisions, within agreed policy. They provide advice to the public and members in respect of the services provided. They initiate policy proposals, implement agreed policy, ensure that the Council acts lawfully and in accordance

with the principles of sound financial management and represent the Council on external bodies.

3 Respect and Courtesy

- 3.1 The Council's aim/vision is to provide good quality local community services in response to need and will endeavour to protect the Parish's interest to ensure the present and future well being of all its residents. For that vision to be realised, members and officers must work together in a harmonious relationship based upon mutual respect, courtesy, trust, honesty and understanding of each other's roles.

This should prevail in all meetings and contacts whether formal or informal. This protocol should also inform behaviour with external contacts e.g. from partner organisations to ensure that members and officers are conducting themselves in a way that is appropriate when representing the Council.

- 3.2 Neither members nor officers should seek to take unfair advantage of their position in their dealings with each other. Members should be aware that officers, especially junior officers, may sometimes be overawed and feel at a disadvantage. Such feelings are intensified given that members make decisions that directly affect officers.
- 3.3 Members should not apply pressure on officers to do anything that they are unwilling to do or are not empowered to do. Similarly, officers must not seek to use influence on an individual member to make a decision in their personal favour, as opposed to in the interests of the Council.
- 3.4 Close personal familiarity between individual members and officers can damage the principle of mutual respect. It could also, intentionally or unintentionally, lead to the passing of confidential information, which should not properly be passed between them, such as personal details. Such familiarity could also cause embarrassment to other members and/or other officers and could even give rise to suspicions of favouritism. It should therefore be avoided.
- 3.5 Inappropriate relationships can be inferred from language/style. Therefore, members and officers should always seek to address each other with courtesy.
- 3.6 Members must not obstruct the work of officers by unnecessarily taking up their time or in any way acting to impede their ability to proceed with their professional duties. Officers must equally respect the role of members and will only request additional supporting work from members where necessary or beneficial to the Council.
- 3.7 Members and officers must conduct themselves in a way that is acceptable within a professional environment. They must afford dignity, trust and respect to everyone and themselves. They must have awareness of the effect of their behaviour on others and only make reasonable and manageable demands. They must communicate honestly and openly, clearly stating what they mean and expect of others. They must provide honest feedback based on evidence and be open to constructive criticism. They must start from the assumption that everyone is working to the best of their ability, considering their current stage of personal and professional development.

3.8 Members and officers must not conduct themselves in an unacceptable manner. This includes discrimination, which is a failure to afford equal opportunities in the workplace irrespective of disability, gender, race, religion, age, sexuality, and marital status. It includes harassment, which is conduct that is unwanted and offensive and affects the dignity of an individual or group of individuals. It includes bullying which is a type of harassment consisting of persistent actions, criticism or personal abuse in public or private, which humiliates, intimidates, frightens, undermines or demeans the individual. When defining behaviour in cases of harassment, it is appropriate to place emphasis on the recipient's experience rather than the perpetrator's motivation. The following examples show the variety of ways in which unacceptable behaviour can occur and are taken from actual cases from various sources. This list is neither comprehensive nor exclusive. It serves to illustrate a range of potential indicators of unacceptable behaviour.

- Using aggressive language, threatening, ridiculing, ignoring people, or shouting
- Shifting blame to others
- Phoning people at home unnecessarily (especially demanding work when the person is absent due to sickness or ill health)
- Focusing only on weaknesses
- Bringing up details of someone's private life inappropriately
- Leaving impossibly long lists of tasks and making unreasonable demands
- Criticising people in their absence
- Racist comments or jokes including those about distinctive peoples and nationalities
- Questioning an individual about his/her sexual relationship/preferences
- Frequent comments about aspects of physical appearance or using forms of address that are demeaning
- Repeated staring or leering or suggestive looks at parts of the body
- Physical contact ranging from unwanted kissing, touching of any kind, through to assault or rape
- Making unwanted sexual advances
- The use of pin-ups, posters or electronic display e.g. pornographic pictures, objectionable cartoons
- Comments about or the excluding of a colleague from workplace talk or activities because of their age, disability, colour, race, religion, ethnic origin, gender or sexual orientation
- Threatening or implying that you will cause the person to lose their job or fail to get a promotion or suffer some other form of career difficulty or financial disadvantage
- Using language and/or gestures in such a way that someone fears for their personal safety
- Coercing someone to join the harassment/bullying of another person

4 Officer Support to the Council

- 4.1 It is clearly important that there should be a close working relationship between members and the officers who support and/or interact with them. However, such relationships should never be allowed to become so close, or appear to be so close, as to bring into question the officers ability to deal impartially with other members. Officers must ensure their neutrality in representing the Council is not compromised. (Also see 3.4 above).
- 4.2 Whilst members might be consulted as part of the process of drawing up proposals for consideration on the agenda of a forthcoming meeting, it must be recognised that officers are under a professional duty to provide an agenda.

Officers also submit reports based on their professional judgment to the Council. The Clerk or other senior officer will always be responsible for the contents of any report submitted in their name. This means that any such report will be amended only where the amendment reflects the professional judgment of the author of the report. Any issues arising between a member and the Clerk or other senior officer should be resolved informally if possible using appropriate line management and, where appropriate progressing through relevant Council procedures where more formal resolution becomes necessary.

- 4.3 Officer advice must be full and impartial and should include all relevant options to enable a full considered decision of the Council.

5 Members Access to Documents

- 5.1 Member's rights to inspect Council documents is restricted and will not apply to certain items, for example because they relate to individual employees. Officers will provide documents, which are, on the face of it, reasonably necessary to enable members properly to perform their duties for the Council. This is often referred to as the "need to know" principle. However, members do not have a "roving commission" to examine any documents nor access the computers of the Council. Mere curiosity is not sufficient.
- 5.2 A member requesting access to documents should direct their enquiry to the Clerk or other relevant senior officer. Officers will be concerned to furnish Council members with such information, advice and access to documents which they require for the proper performance of their duties conducted for the Council. If disclosure of a document is in the officer's view either not required or not appropriate, they will inform the member and will give reasons why disclosure would not be appropriate.
- 5.3 Any dispute regarding a member's access to a document should be referred for resolution using appropriate line management and, where needed, through formal Council procedures.

6 Information and Advice to Members

- 6.1 Any Council information provided to a member must only be used by that member for the purpose for which it was provided, namely in connection with the member's duties as a member of the Council, unless the information is already in the public domain.
- 6.2 Members must not disclose information given to them in confidence by anyone without the consent of the person authorised to give it, or unless they are required to do so. Equally, members must not prevent other persons from gaining access to information to which those persons are entitled by law.
- 6.3 In order to safeguard against possible breaches of the Data Protection Act (which applies to all information of a personal nature) members should always seek advice from the Clerk before disclosing confidential information. Generally, personal information cannot be released without the consent of the person to whom it relates. Improper disclosure of confidential information can put the member and the Council at legal and financial risk.
- 6.4 Regular contact between members and senior officers is necessary to ensure the efficient working of the Council and should occur on a planned and reasonable basis in order that it is constructive and not destructive to the ability of officers to perform their duties on behalf of the Council. Planned appointments, where meetings are needed to further the interests of the Council, are the best way of arranging contact between members and officers. This protects the interests of the Council and its employment responsibilities by ensuring that the ability of the officer to carry out the work of the Council is not impeded and to ensure that the officer can set aside an appropriate amount of time to meet with and concentrate on a member or group of members.

7 Representing Interests

- 7.1 Officers are neutral in that they serve the whole Council and not a particular sector or political group. Members might have an affiliation with a particular group within the public but should be making decisions based on their responsibility to the Council and its electorate as a whole. This does not preclude members and officers from reacting to a political issue where it affects the interests of the electorate in that area.

8 Communication and Advice

- 8.1 Save in exceptional circumstances, all letters and other communications on official Council business should be sent out only in the name of the Proper Officer (the Clerk). Communications which create obligations or give instructions on behalf of the Council should never be sent out under the name of a member.

9 Public Relations and Press Releases

- 9.1 The Clerk has overall responsibility for public relations and press releases on behalf of the Council. Political and lobby/action group press releases and publicity must not be issued at the initiative of individual members or officers using the resources of the Council. There is, of course, nothing to prevent any member from communicating with the media, but they should bear in mind that they are not doing so on behalf of the Council and should not use Council facilities or resources for this purpose.

10 Disputes

- 10.1 With goodwill, respect and integrity on both sides there ought to be very few occasions when a disagreement between an officer and a member cannot be resolved amicably. If there is a serious dispute of substance it should be discussed in the first instance between the member and the Clerk and dealt with using appropriate line management and, where needed, Council procedures. It should be noted that unresolved disputes and behaviour issues are recourse to disciplinary/grievance procedures (and in some cases employment tribunals).
- 10.2 Should there be a dispute between members that cannot be resolved amicably; the only recourse open is to make a complaint against the members as a breach of the Code of Conduct adopted by the Parish Council.