



# VENTNOR TOWN COUNCIL

## STANDING ORDERS

ADOPTED MARCH 2021

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## NO SUBJECT

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### 1) RULES OF DEBATE

- a) **DEFINITIONS:** 'Councillor' includes a non-councillor who is part of a committee, sub-committee or working group, with or without voting rights (unless the context suggests otherwise). 'Chair' refers to the person presiding at the meeting.
  - b) **BUSINESS:** Motions will be considered in the order that they appear on the agenda, unless the chair decides to vary the order of business.
  - c) **AMENDMENTS:** Amendments are proposals to remove or add words but cannot negate the motion. No councillor may move more than one amendment to any motion. Amendments will be dealt with in the order decided by the chair, and not be considered unless early verbal notice is given at the meeting and, if requested by the chair, put into writing. A councillor may only seek to amend their own motion with consent of both the meeting and (if already seconded) the seconder. Amendments will be debated one at a time, unless the chair decides otherwise, with each amendment voted on separately. If an amendment is carried, the motion as amended becomes the substantive motion, to which further amendments may be moved.
  - d) **PROPOSING AND SECONDING:** No motion or amendment may be debated unless proposed and seconded, except for the procedural motions set out in standing order 1(f). A motion on the agenda that is not moved by its proposer may be treated by the chair as withdrawn, unless the chair decides to propose it or ask another councillor to do so. Once seconded, a motion or amendment may be withdrawn by the mover only with the consent of both the seconder and the meeting.
  - e) **SPEAKING:** Unless permitted by the chair, a councillor may only speak once on any motion, except that they may speak again on an amendment moved by another councillor, to move an amendment themselves if the motion has since been amended, to move a procedural motion, make a point of order, give a personal explanation, or by right of reply. Except for procedural motions, all speeches must be relevant to the motion under discussion, and not continue for longer than two minutes without consent from the chair.
  - f) **PROCEDURAL MOTIONS:** Other than by moving an amendment, the only new motions that may be moved during a debate, done formally without a speech, are to:
    - i) put the motion immediately to a vote;
    - ii) proceed to the next item on the agenda without voting on the motion;
    - iii) adjourn the debate on the motion, or adjourn the meeting, to a later time or date;
    - iv) to suspend temporarily the meeting;
    - v) ask a person to be no longer heard or to leave the meeting;
    - vi) refer a motion to a committee or sub-committee for consideration;
    - vii) exclude the public and press;
    - viii) suspend particular standing order(s) (but not any that are mandatory statutory or legal requirements).
  - g) **VOTING:** Before a substantive motion is put to a vote, the chair must be satisfied that it has been sufficiently debated and that its mover has exercised or waived their right of reply. Only the mover of the original motion has right to reply, at the end of debate and before the vote is taken (except that they may instead exercise it before the vote on any amendment).
  - h) **POINTS OF ORDER:** A councillor may interrupt only on a point of order or of personal explanation, and the councillor interrupted will pause speaking. A point of order must identify the relevant standing order or alleged irregularity. A ruling will be made by the chair in accordance with standing orders, and their decision is then final.
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2) **DISORDERLY CONDUCT**

- a) No person may obstruct the transaction of business or behave offensively or improperly. If this is ignored, the chair will ask such person(s) to moderate or improve their conduct. If they disregard this request, any councillor including the chair may move that they be no longer heard or be excluded from the meeting. This motion, if seconded, will be put to the vote without discussion.
  - b) If a resolution made under 2(a) is ignored, the chair may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.
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3) **NOTICE AND LOCATION OF MEETINGS**

- a) Clear days' notice, throughout these standing orders, does not include the day on which the notice is given, or the day of the meeting itself. For notice of meetings of the whole council only, any Sunday or Bank Holiday, any day appointed for public mourning or thanksgiving, and any day that falls between the Bank Holidays of Christmas or at Easter, is also not counted.
  - b) Meetings of the council, committees, and (where the council has decided that notice requirements will apply) sub-committees, require a minimum of three clear days' public notice, as defined in 3(a) above.
  - c) A meeting is not limited to a meeting of persons present in the same place; any reference to a "place" where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.
  - d) Council meetings must not take place in premises that at the time are being used for the supply of alcohol, unless no other premises are available at reasonable cost.
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4) **PUBLIC PARTICIPATION**

- a) Council and committee meetings will be open to the public (which may include access through remote means such as video conferencing, live webcast, or live interactive streaming), unless their presence is prejudicial to the public interest by reason of the confidential nature of the business, or for other special reasons. The public's exclusion from part or all of a meeting must be decided by a minuted resolution that gives the reasons for exclusion.
  - b) Members of the public may make representations, ask questions, and give evidence in respect of the business on the agenda at any meeting they are entitled to attend. The period of time designated for such public participation will not exceed 30 minutes, and no member of the public may speak for more than two minutes, unless otherwise decided by the chair. Public questions should not start a debate, and the chair may direct that any that cannot be dealt with at the meeting be given a later written or oral response.
  - c) At a physical meeting, a person should raise their hand when requesting to speak and stand when speaking. The chair may allow someone to be seated when speaking, for example if they have a disability and/or are likely to suffer discomfort by standing. All speakers should direct their comments to the chair. Only one person should speak at a time; if more than one person wants to speak, the chair will decide the order.
  - d) Anyone who attends a meeting is allowed to report on it whilst it is open to the public, meaning to film, photograph, make an audio recording or use other means to enable persons not present to see or hear the meeting as it takes place or later, or to provide oral or written commentary about the meeting either later or (and only with permission) as it takes place.
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- e) The press must be provided with reasonable facilities for reporting meetings at which they are entitled to be present.
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## 5) MEETING PROCEDURE

- a) With the exception of standing order 7(f) anything authorised or required to be done by, to or before the Mayor as Chair of the Council may in their absence be done by, to or before the Deputy Mayor.
  - b) The Mayor will preside at meetings of the council, except that if the Mayor is absent, the Deputy Mayor will preside. If both are absent, a councillor as chosen by the councillors present will preside. Throughout section 5 of standing orders, “councillor(s)” includes any non-councillors with voting rights.
  - c) Subject to a meeting being quorate, all questions will be decided by a majority of those councillors present and voting. The chair or person presiding may vote on any matter that is put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not he or she gave an original vote.
  - d) Unless standing orders provide otherwise, all voting will be by a show of hands. At the request of any councillor, the voting on any question at a meeting of the council will be recorded so as to show how each councillor present gave their vote. Such a request must be made before moving on to the next item of business.
  - e) The minutes of a meeting must include an accurate record of the following:
    - i) the time and place of the meeting;
    - ii) the names of those councillors present and absent;
    - iii) interests that have been declared by councillors, together with any grants of dispensation they have been given;
    - iv) whether a councillor left the meeting when matters that they held interests in were being considered;
    - v) if there was a public participation session; and
    - vi) the resolutions made.
  - f) A councillor who has a disclosable pecuniary interest, or another interest as set out in the Council’s code of conduct, in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.
  - g) No business may be transacted at a council meeting unless at least one-third of the whole number of members of the Council are present, and in no case will the quorum of a meeting be fewer than three.
  - h) If a meeting is or becomes inquorate no business may be transacted, and the meeting will be closed, with any remaining business adjourned to another meeting.
  - i) A meeting must not continue for more than two hours.
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## 6) COMMITTEES AND SUB-COMMITTEES

- a) The Council may appoint and dissolve standing committees or other committees as necessary, and will:
    - i) determine their terms of reference;
    - ii) appoint and determine the terms of office of their members, and of any substitute members (whose role is to substitute for ordinary members who have confirmed to the Proper Officer at least three days before a meeting that they cannot attend);
    - iii) appoint the chair of standing committees, and permit any committee other than a standing committee to appoint its own chair at its first meeting;
    - iv) determine the place, ~~notice requirements~~ and quorum for meetings of committees and sub-committees; in all cases, the quorum must be no fewer than three;
    - v) ~~determine if the public may participate; and, in respect of a sub-committee, if~~
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~~the public and press are permitted to attend, and also decide the advance public notice requirements, if any, required for its meetings.~~

- b) The members of a committee or sub-committee or an advisory group may include non-councillors, unless it is a committee that regulates and controls the finances of the Council.
- c) Unless the Council determines otherwise, a committee may appoint a sub-committee whose members and terms of reference, subject to standing order 6a(v), will be determined by the committee. The Council may decide to dissolve any sub-committee.

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## 7) **ORDINARY COUNCIL MEETINGS**

- a) In an election year, the annual meeting of the Council will be held on or within 14 days following the day on which the councillors elected take office, and in other years on such day in May as the Council decides. If no other time is fixed, annual meetings will start at 6pm.
- b) At least three further ordinary meetings must be held each year on such dates and times as the Council decides.
- c) The first business conducted at the annual meeting must be the election of the Mayor and Deputy Mayor (who will be the Chair and Vice-Chair of the Council).
- d) The Mayor (unless he or she resigns or becomes disqualified) will continue in office and preside at the annual meeting until a successor is elected at the next annual meeting.
- e) The Deputy Mayor (unless he or she resigns or becomes disqualified) will hold office until immediately after the election of the Mayor at the next annual meeting.
- f) In an election year, if the current Mayor has not been re-elected as a member of the Council, he or she will preside at the annual meeting until a successor Mayor is elected. The current Mayor will not have an original vote in respect of the election of the new Mayor but will give a casting vote in the case of an equality of votes.
- g) In an election year, if the current Mayor has been re-elected as a member of the Council, he or she will preside at the annual meeting until a new Mayor has been elected. He or she may exercise an original vote in respect of the election of the new Mayor and will give a casting vote in the case of an equality of votes.
- h) The remaining business of the annual meeting will include:
  - i) in an election year, delivery by the Mayor and councillors of their acceptance of office forms or, in other years, delivery by the Mayor of his or her acceptance of office form (unless the Council resolves for either of these to be done at a later date);
  - ii) appointment of members to existing and any new committees, and of chairs for the standing committees;
  - iii) in an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - iv) determining the time and place of ordinary meetings of the Council up to and including its next annual meeting.
- i) The business for council meetings other than the annual meeting will include:
  - i) confirmation of the accuracy of the minutes of the previous meeting of the Council;
  - ii) receipt of the minutes of committee meetings since the previous council meeting;
  - iii) consideration of any recommendations made by a committee;
  - iv) review of the Council's expenditure incurred under s.137 of the Local

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- Government Act 1972 or the general power of competence;
  - v) periodically as appropriate, review of delegation arrangements to committees, sub-committees, staff and other local authorities, review and adoption of appropriate standing orders and financial regulations, and review of the terms of reference for committees and working groups;
  - vi) periodically as appropriate, review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses, and of representation on or work with external bodies and the arrangements for reporting back; and
  - vii) periodically as appropriate, review of inventory of land and other assets including buildings and office equipment, confirmation of arrangements for insurance cover in respect of all insurable risks, review of the Council's and/or staff subscriptions to other bodies, review of the Council's complaints procedure and of policies, procedures and practices in respect of freedom of information and data protection legislation (*see also standing orders 13, 22 and 23*) and for dealing with the press/media, and review of the Council's employment policies and procedures.
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#### 8) EXTRAORDINARY MEETINGS

- a) The Mayor may convene an extraordinary meeting of the Council at any time.
  - b) Any two councillors may present a written requisition to the Mayor, requiring him or her to call an extraordinary meeting of the Council. If the Mayor does not do so within seven days of having been so requested, any two councillors may convene such an extraordinary meeting. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.
  - c) The chair of a committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.
  - d) Any two members of a committee or sub-committee may present a written requisition to the chair, requiring him or her to call an extraordinary meeting. If the chair does not do so within seven days of having been so requested, any two of the committee's or sub-committee's members may convene an extraordinary meeting.
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#### 9) PREVIOUS RESOLUTIONS

- a) A resolution cannot be reversed within six months except either by a special motion, which requires written notice by at least six councillors to be given to the Proper Officer in accordance with standing order 11(b), or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
  - b) When a motion moved pursuant to standing order 9(a) has been disposed of, no similar motion may be moved for a further six months.
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#### 10) VOTING ON APPOINTMENTS

- a) Where more than two persons have been nominated for a position to be filled by the Council, the successful candidate must have an overall majority of votes cast. If, after a vote, no one has a majority, the candidate(s) with the fewest votes will be eliminated, and further votes taken in the same way until one person has a majority. A tie may be settled by the casting vote exercisable by the chair.
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#### 11) MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE

- a) A motion must relate to the responsibilities of the meeting for which it is tabled and relate to the performance of the Council's statutory functions, powers and obligations or an issue that specifically affects the Council's area or its residents.
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- b) No motion may be moved unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least five clear days before the meeting.
  - c) The Proper Officer may, before including a motion on the agenda, correct any obvious grammatical or typographical errors in its wording.
  - d) If the Proper Officer considers that the wording of a motion received is not clear in meaning, the motion may be rejected until its mover resubmits it, so that it can be understood, to the Proper Officer at least five clear days before the meeting. If the wording or subject of a proposed motion is considered improper, the Proper Officer will consult with the chair of the forthcoming meeting (or, as the case may be, the councillors who have convened the meeting) to consider whether the motion will be included in the agenda or rejected. The decision of the Proper Officer as to whether or not to include the motion on the agenda will be final.
  - e) Motions received will be recorded and numbered in the order that they are received. Any motions that have been rejected will be recorded with an explanation by the Proper Officer of the reason(s).
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#### **12) MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a) The motions that may be moved without written notice to the Proper Officer are any of the procedural motions set out in standing order 1(f), or a motion to:
    - i) correct an inaccuracy in the draft minutes of a meeting;
    - ii) appoint a person to preside;
    - iii) change the order of business;
    - iv) require a written report;
    - v) appoint a committee or sub-committee and its members;
    - vi) extend the time limits for speaking.
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#### **13) MANAGEMENT OF INFORMATION**

- a) The Council will have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements will include deciding who has access to personal data and the encryption of personal data.
  - b) The Council will have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy will confirm the period for which such information will be retained or if this is not possible the criteria used to determine that period (e.g., the Limitation Act 1980).
  - c) Confidential information or personal data must not be disclosed (or otherwise undermined) by any agenda, papers that support the agenda or set of minutes, nor by any councillor, member of staff or council contractor or agent, without legal justification.
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#### **14) DRAFT MINUTES**

- a) If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they will be taken as read.
  - b) There should be no discussion about any draft minutes except in relation to their accuracy. A motion to correct an inaccuracy may be moved in accordance with standing order 12(a)(i). After any amendment(s) made to them, they will then be confirmed by resolution, be signed by the chair, and stand as an accurate record of the relevant meeting.
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- c) If the chair does not consider the minutes to be an accurate record, he or she will sign them and include a paragraph similar to the following:  
“The chair of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record, but this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
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**15) CODE OF CONDUCT AND DISPENSATIONS**

- a) All councillors ('councillors' within sections 15 and 16 of standing orders includes any non-councillors with voting rights) must observe the code of conduct adopted by the Council.
- b) Unless granted a dispensation, a councillor must withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. He or she may return after that item of business.
- c) Unless granted a dispensation, a councillor must also withdraw from a meeting during consideration of a matter in which they have another interest, if so required by the Council's code of conduct.
- d) Dispensation requests must be made in writing and submitted to the Proper Officer before the meeting, and no later than the start of the meeting for which it is required. The request should confirm:
- i) the description and nature of the disclosable pecuniary interest or other interest to which the request relates;
  - i) whether the dispensation is required to participate in discussion only, or also to be able to vote;
  - ii) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iii) an explanation as to why it is being sought.
- e) Subject to standing order 15(d), a dispensation request will be considered and decided by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting.
- f) A dispensation may be granted if, having regard to all relevant circumstances, any of the following apply:
- i) without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting as to impede the transaction of the business;
  - ii) it is in the interests of persons living in the Council's area; or
  - iii) it is otherwise appropriate.
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**16) CODE OF CONDUCT COMPLAINTS**

- a) Upon notification by the Isle of Wight Council that it is dealing with a complaint that a councillor has breached the Council's code of conduct, the Proper Officer will, subject to standing order 13, report this to the Council.
- b) Where the notification in standing order 16(a) relates to a complaint made by the Proper Officer, the Proper Officer must notify the Mayor, who will nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 16(d).
- c) The Council may:
- i) provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii) seek information relevant to the complaint from the person or body with
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- statutory responsibility for investigation of the matter;
- d) Upon notification by the Isle of Wight Council that a councillor has breached the Council's code of conduct, the Council will consider what, if any, action to take against him or her. Such action excludes disqualification or suspension from office.
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**17) PROPER OFFICER**

- a) The Proper Officer will be either the clerk, or another staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b) The Proper Officer will:
- i) at least three clear days (as defined by standing order 3a) before a meeting of the council, a committee or a sub-committee,
    - serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and
    - Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
  - ii) subject to standing order 13, include on the agenda all motions in the order received unless a councillor has given written notice at least three clear days before the meeting confirming their withdrawal of it;
  - iii) convene a meeting of the Council for the election of a new Mayor, occasioned by a casual vacancy in his or her office;
  - iv) facilitate inspection of the minute book (or digital equivalent) by local government electors;
  - v) receive and retain copies of byelaws made by the Isle of Wight Council that affect the Council's area;
  - vi) hold acceptance of office forms from councillors;
  - vii) hold a copy of every councillor's register of interests;
  - viii) assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
  - ix) liaise, as appropriate, with the Council's Data Protection Officer;
  - x) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
  - xi) assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in accordance with standing order 13.
  - xii) arrange for legal deeds to be executed;  
(see also standing order 25);
  - xiii) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations; and
  - xiv) manage access to information about the Council via the publication scheme.
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**18) RESPONSIBLE FINANCIAL OFFICER**

- a) The Council will appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when that officer is absent.
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## 19) ACCOUNTS AND ACCOUNTING SYSTEMS

- a) “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- b) All payments by the Council must be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c) The Responsible Financial Officer will supply to each ordinary council meeting (other than the annual meeting):
  - i) a list of the payments made during each whole calendar month since the previous meeting; and
  - ii) the Council’s aggregate receipts and payments.
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer will provide:
  - i) the Council with a statement summarising the Council’s receipts and payments for the financial year; and
  - ii) the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e) The year-end accounting statements will be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return must be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return, which is subject to external audit, including the annual governance statement, will be presented to the Council for consideration and formal approval before 30 June.

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## 20) FINANCIAL CONTROLS AND PROCUREMENT

- a) The Council will consider and approve financial regulations drawn up by the Responsible Financial Officer, which will include detailed arrangements in respect of:
    - i) the keeping of accounting records and systems of internal controls
    - ii) the assessment and management of financial risks faced by the Council;
    - iii) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which will 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.
  - b) Financial regulations must be reviewed regularly and at least annually for fitness of purpose.
  - c) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 20(j) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (known as a framework agreement – a procurement process will apply to suppliers to become part of any framework) .
  - d) All contracts with an estimated value in excess of £25,000 must be advertised and added to the Contracts Finder web site in accordance with Standing Order 20(c).
  - e) All contracts with an estimated value in excess of £5,000 but less than £25,000 will be awarded on the basis of three tenders.
  - f) An evaluation scheme for scoring received tenders, including appropriate references
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- to the Public Services (Social Value) Act 2012, will be agreed by the Council.
- g) Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works must include, as a minimum, the following steps:
- i) a specification for the goods, materials, services or the execution of works will be drawn up;
  - ii) an invitation to tender will be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - iv) tenders must be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - v) tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- h) Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- i) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by government within its 'Find a Tender' process) must comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website.
- j) A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by government) must comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.
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## **21) HANDLING STAFF MATTERS**

- a) A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 13.
  - b) Subject to the Council's policy regarding the handling of grievance matters, the clerk will contact the chair of the Staffing Committee in respect of an informal or formal grievance matter, and this matter will be reported back and progressed by resolution of the Staffing Committee.
  - c) Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the chair of the Staffing Committee, this will be communicated to another member of the Staffing Committee and reported back and progressed by resolution of the Staffing Committee.
  - d) Any persons responsible for all or part of the management of staff will treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
  - e) In accordance with standing order 13(a), persons with line management responsibilities will have access to staff records referred to in standing order 21(d).
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**22) RESPONSIBILITIES TO PROVIDE INFORMATION**

- a) In accordance with freedom of information legislation, the Council will publish information in accordance with its publication scheme and respond to requests for information held by the Council.
  - b) The Council will publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.
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**23) RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

- a) The Council will appoint a Data Protection Officer.
  - b) The Council will have policies and procedures in place to respond to an individual exercising statutory rights concerning his or her personal data.
  - c) The Council will have a written policy in place for responding to and managing a personal data breach.
  - d) The Council will keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
  - e) The Council will ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
  - f) The Council will maintain a written record of its processing activities.
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**24) RELATIONS WITH THE PRESS/MEDIA**

- a) Requests from the press or other media for a comment or statement from the Council, its councillors or staff will be handled in accordance with the Council's press relations policy.
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**25) EXECUTION AND SEALING OF LEGAL DEEDS**

- a) A legal deed must not be executed on behalf of the Council unless authorised by a resolution.
  - b) Subject to standing order 25(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer will witness their signatures.
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**26) COMMUNICATING WITH COUNTY COUNCILLORS**

- a) An invitation to attend a meeting of the Council will be sent, together with the agenda, to the two ward councillors of the Isle of Wight Council representing the area of the Council.
  - b) Unless the Council determines otherwise, a copy of each letter sent to the Isle of Wight Council will be sent to each ward county councillor representing the area of the Council.
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**27) RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a) Unless duly authorised no councillor may:
    - i) inspect any land and/or premises which the Council has a right or duty to inspect;  
or
    - ii) issue orders, instructions or directions.
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**28) STANDING ORDERS GENERALLY**

- a) All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
  - b) A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, must be
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proposed by a special motion, the written notice by at least five councillors to be given to the Proper Officer in accordance with standing order 13.

- c) The Proper Officer will provide a copy of the Council's standing orders to a councillor as soon as possible after their election.
  - d) The decision of the chair of a meeting as to the application of standing orders will be final.
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