

## NOTES ON NEW DRAFT PROCEDURES ISSUED FOR 10<sup>TH</sup> NOVEMBER PARISH COUNCIL

### STANDING ORDERS

#### Proposed Copy has.

1. Missing NALC Copyright Statement - Needs to be included
2. Missing Full Introduction & Drafting Notes – Needs to be included so that it gives context to the non-councillor or public.

#### Rules of Debate at Meetings

3. 1e – Clarification on additional sentence, this contravenes 1f – It shall not be a complete replacement of the original motion.
4. 1t Five Minutes for presentation of a report from a councillor

#### Meetings Generally

5. 3c Deleted the first status this was adopted in the last standing orders (why the change)– The minimum three clear days' notice for a meeting does to include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
6. 3e *Members of Public* replaced by *Parishioners*.
  - a. Restricting business if other concerned members of the public attend the meetings.
  - b. Discriminatory behaviour by the council towards members of the public.
7. 3f Timescales for public participation set to 10 minutes
  - a. Recognised and advised to extend this time to 15minutes but has not been considered.
8. 3g Timescales for individual to speak.
  - a. Consider to be proportionate to the item to be discussed. Additional text put in.
9. 3i Brackets to be deleted.
10. 3r Deletion of italic note 5(h) + (i)
  - a. Cross referring other sections about election of Chairperson needs to be included for clarity and context
11. 3t Additional line regarding context/concise recording of minutes should be included.
12. 3v Deletion of italic note cross referring for Quorum of committees.
  - a. Should be included for clarity and context
13. 3x Duration of meeting should be 3 hours.
  - a. Advised meetings where to long due to current business, and this has disrupted completion of business in the past.
  - b. Duration should be proportionate to the business to be conducted.

#### Committees and sub committees

14. 4d v Duration of notice for change of committee member reduced from 7 to 3
  - a. Ok

- 15. 4d ix Members of the public replaced with 'parishioners'.
  - a. Restricting business if other concerned members of the public attend the meetings.
  - b. Discriminatory behaviour by the council towards members of the public.
- 16. 4d xi Members of the public replaced with 'parishioners'.
  - a. Restricting business if other concerned members of the public attend the meetings.
  - b. Discriminatory behaviour by the council towards members of the public.

#### **Extraordinary Meetings of the Council, Committees and Sub-Committees**

- 17. 6d Members of the committee to call a meeting has gone to three.
  - a. Recommend that this is 2 members to fall in line with legislation for extraordinary meetings

#### **Motions for a meeting that require written notice to be given to the proper officer**

- 18. General comment regarding the issuing of the agenda, motions and supporting documents in sufficient time for consideration and review.
  - a. Not at 5 minutes to 12 and expecting any feedback.
  - b. Working hours arrangements need to be in place for expectations of feedback, or extensions granted.
  - c. Dispensation can be granted to standing orders at any time by the council.

#### **Draft Minutes**

- 19. 12a Draft minutes shall contain narrative for transparency and circulated to councillors within 14 days of a meeting before being issued as draft on the website (to be included)
- 20. 12b Included ....and the proposed amended wording is submitted in writing to the chair.
  - a. Nothing wrong with this and prevents any angst to the member of staff creating and trigger to behavioural issues.
- 21. 12e Timescales for meetings could change to 3 weeks, I.
  - a. Lines in with 2 weeks to councillors, week of debate and then published
  - b.

#### **Code of Conduct and Dispensations**

- 22. 13e Decisions on dispensations has been changed to Proper Officer only rather than a meeting of the council or committee.
  - a. All text should remain The Proper Officer advises but terms of reference govern a committee, and matters may be required where it involves the Proper Officer where there is a conflict of interest.
- 23. 13g Clause deleted.
  - a. Should be reinstated to allow policy of requests. This removes the option for dispensations to be heard at a meeting & limits to the Proper Officer.

#### **Code of Conduct Complaints**

- 24. 14b Should include that the Chair will meet with the council to nominate another staff member, or councillor to assume the duties of the Proper Officer

#### **Proper Officer**

- 25. 15a Removes the options for the Proper Officer,

- a. This restricts business and contradicts other members acting in the capacity due to illness, absence, grievance of code of conduct complaints
  - b. Recommend full wording is reinstated.
- 26. 15bi should state unless convened at shorter notice.
  - a. This sentence was removed from 3c and should be reinstated.
- 27. 15bi Italics should make reference to 3c convened at shorter notice.
  - a. Not relevant to meeting of a committee – error and should be reported to NALC.
- 28. 15b ii NOTE: Not changed but NOTE... this says the Proper Officer SHALL include all motions on the agenda, there have been breached of this throughout the year.
- 29. 15b viii Deleted assist with FOI to respond to
  - a. Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. The council is accountable for FOI not the member of staff. If the member of staff does something out of practice this could potentially result in a fine to the council and a disciplinary to the clerk.
- 30. 15b ix Deletes the Proper Officer responsibility to liaise with Data Protection Officer
  - a. This is required and we should have one.
  - b. Should be reinstated to the NALC recommendations as stated on the covering note.
- 31. 15b x word general has been deleted and replaced with all.
  - a. Gives autocracy to the member of staff without consideration to the council
  - b. Should be reinstated to the NALC recommendations as stated on the covering note.
- 32. 15b xi The Proper “shall assist” deleted to mean.
  - a. it is only the Proper Officer who handles information.
  - b. Should be reinstated to the NALC recommendations as stated on the covering note.

#### **Responsible Financial Officer**

- 33. 16a Removes the options for the Proper Officer,
  - a. This restricts business and contradicts other members acting in the capacity due to illness, absence, grievance of code of conduct complaints.
  - b. Recommend full wording is reinstated.
  - c.

#### **Accounts and Accounting Statements**

- 34. 17c Dates for submission of accounts have been deleted and replaced with “regularly” removing a key obligation for quarterly reporting
  - a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
- 35. 17c i Clause Deleted removes requirement to submit specific accounts for the quarter & limits it to aggregate Year to Date
  - a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
- 36. 17c iii Removes quarter reporting.
  - a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
- 37. 17d i Removes quarter reporting.

- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
38. 17d ii Format of accounting statements changed from Section 1 to Section 2 of the Governance return.
- a. Question to NALC what the significance is and if this was an error on the previous standing orders.

### **Financial Control and Procurement**

39. 18d iii Tenders advertisements changed from newspaper to council website.
- a. Recommend keeping with the newspaper and including website and social media.
40. 18d iv Submission of tenders by sealed envelope ... by email to Clerk
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. Potentially have a tender review board
41. 18d v Clause Deleted - Tenders to be opened by proper officer in presence of a councillor.
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. Or if email submissions the full entire email and full correspondence is shared with all councillors

### **Handling Staff Matters**

42. General inclusion should state the council has formed a staffing committee to address handling of staff matters.
- a. Committees' terms of reference etc.
43. 19b 'the chair of the council of vice chair of the council
- a. Should state staffing committee shall undertake the appraisal of the clerk.
  - b. statement undermines the staffing committee terms of reference, not the chair or vice chair of the council, there is an appraisal process that was adopted.
  - c. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
44. 19(c) Moved to C) NALC recommendations regarding absence deleted.
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note. To where it was in the order of the matter.
45. 19(c) 'shall notify the chair of the council'.
- a. NALC wording does not state this - should state 'staffing committee'.
  - b. Council have a staffing committee – this should refer to the terms of reference.
46. 19(c) 'shall notify the vice chair of the council'.
- a. NALC wording does not state this - should state 'staffing committee'.
  - b. Council has a staffing committee – this should refer to the terms of reference.
47. 19c 'the chair of the council of vice chair of the council
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.

- b. Undermines the staffing committee.
  - c. Staffing committee should be referred to throughout
48. 19d 'the chair of the council of vice chair of the council
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. Undermines the staffing committee.
  - c. Staffing committee should be referred to throughout
49. 19g Section deleted.
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. Should make reference to staffing committee holds the line management responsibilities of staff, persons on this committee shall have access x

#### **Responsibilities to Provide Information**

50. 20b Deleted totally.
- a. Guidance from NALC as we fall into the in between bracket.

#### **Responsibilities under Data Protection Legislation**

51. 21a Deleted – the appointment of a Data Protection Officer
- a. Recommend full wording Should be reinstated to the NALC recommendations as stated on the covering note.
  - b. We need to appoint one.
  - c. Previous standing orders stated shall have one, and not may.
52. 25a Add in about training requirements for new councillors, as in the last standing orders.
- a. All newly co-opted councillors are required to attend 'New Councillor' training by the local area association (CALC) within 12 months of being co-opted/elected.