

NANTYGLO & BLAINA TOWN COUNCIL
CYNGOR TREF NANT-Y-GLO A BLAENAU

Council Offices, Blaina Institute, High Street, Blaina. NP13 3BN
Swyddfar Cyngor, Sefydliad Blaenau, Y Stryd Fawr, Blaenau, NP13 3BN

TEL: 01495 292817 e-mail: clerk@nantygloandblainatc.co.uk

Standing Orders

Adopted by Nantyglo & Blaina Town Council:

Signed:

Councillor G Morvan – Town Mayor/ Chairman

Dated: 11th February 2019

1. Meetings

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.

The code of conduct adopted by the Council shall apply to the councillors in respect of the entire meeting.

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.

If a meeting is or becomes not quorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned may be transacted at a following meeting.

If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved or received by a resolution, such a resolution shall be recorded in the minutes of that meeting. Apologies will only be accepted by Council in the case of a valid reason such as holiday, illness or hospital appointment etc. Late apologies may also be accepted if the reason for absence is similar to listed above.

Meetings shall not continue beyond 9.00p.m. except for the completion of urgent business for which the suspension of Standing Orders must be approved.

In accordance with election legislation, neither any member(s) nor speaker(s) are permitted to use the Town Council's meetings or premises for 'electioneering' purposes.

In the event of a guest speaker being present at a council meeting the following procedure is to be observed:

- Members are to receive the presentation by the guest speaker
- Questions from Members are invited at the end of the presentation
- Members are to ask only 1 question each – if time allows and with the Chairman's permission, a second question may be asked.
- There is to be no discussion or exchange of points of view between Members and that all dialogue is to be directed through the chairman.

2. Annual Council Meeting

In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the newly elected councillors take office.

In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.

If no other time is fixed, the annual meeting of the Council shall take place at 7.00p.m. In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.

The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.

The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.

In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meetings until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

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

The business of the Annual Meeting is to proceed as per agenda.

3. Proper Officer

The Council's Proper Officer shall be the Town Clerk and another employee may be appointed by the Council to undertake the role of the Proper Officer during the Clerk's absence. The Proper Officer and the employee appointed to act as such during the Clerk's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

The Council's Proper Officer shall do the following:

- i) Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.
- ii) Give public notice of the time, date, venue and agenda at least 3 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(a)-(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 clear working days before the meeting confirming his withdrawal of it.

iv) Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in this office.

v) Make available inspection the minutes of meetings.

vi) Receive and retain copies of byelaws made by their local authorities.

vii) Receive and retain declarations of acceptance of office from councillors. Retain a copy of every councillor's register of interests and any changes to 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 the General Data Protection Regulations 2018, in accordance with and subject to the Council's procedures relating 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 the information held by the Council in paper and electronic form.

xiii) Arrange for legal deeds (to be sealed using the Council's common seal) OR (to be signed by 2 councillors) and witnessed.

xiv) Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council 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 in a book for such purpose;

xvi) Refer a planning application received by the Council to either the Planning Committee or to a meeting of the Council, without notice, in order to facilitate a decision within the statutory time limit, except where delegated powers are awarded to the

Proper Officer (see item 35).

xvii) Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.

xviii) Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

xix) Exercise delegated powers in conjunction with the Leader of the Council on behalf of the Council when it enters a period of recession i.e. the month of August and the period following the committee (last) meeting in December through to the committee (first) meeting held in January (see item 35).

4. Motions requiring written notice

a) 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 8 clear working days before the next meeting.

b) The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.

c) If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear working days before the meeting.

d) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

e) Having consulted the Chairman or councillors, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

f) 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 book, which shall be open to inspection by all councillors.

g) Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.

h) Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. Motions not requiring written notice

a) Motions in respect of the following matters may be moved without written notice.

i. To appoint a person to preside at a meeting.

ii. To approve the absences of councillors.

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 or any councillors (including substitutes) there to.

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 legal deeds (to be sealed by the Council's common seal) OR (signed by two councillors) and witnessed.

xvii. To authorise the payment of monies up to £2500.

xviii. To amend a motion relevant to the original or substantive motion under consideration which 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 meeting.

xxi. To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.

xxii. To suspend any standing order except those which are mandatory by law.

xxiii. To adjourn the meeting.

xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.

xxv. To answer questions from councillors.

b) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for urgency or expedience.

6. Rules of debate

a) Motions included in an agenda shall be considered in the order that they appear on the agendas unless the order is changed at the Chairman's direction for reasons of expedience.

b) Subject to standing orders, a motion shall not be considered unless it has been proposed and seconded.

c) Subject to standing order, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.

d) A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

e) A councillor may move amendments to his own motion. If a motion has already been

seconded, an amendment to it shall be with the consent of the members who seconded the motion.

f) Any amendment to a motion shall be either: To leave out words; to add words; to leave out words and add other words.

g) A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

h) Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

i) Subject to Standing (h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

j) Pursuant to standing order (h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.

k) If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

l) If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

m) The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.

n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

o) Subject to standing orders (m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.

p) During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall 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.

q) A point of order shall be decided by the Chairman and his decision shall be final.

r) With the consent of the member seconding the motion, a motion or amendment may be withdrawn by the mover. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal or the motion or amendment has been refused.

s) Subject to standing order (o) 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 that person 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 which are mandatory.

t) In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7. Questions

a) A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days' notice of the question has been given to the Proper Officer.

b) Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

c) Every question shall be put and answered without discussion.

8. Minutes

a) If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

b) No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5 (a)(iv) above.

c) Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d) If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect: "The Chairman or any member may if he/ she does not believe that the minutes of the meeting were a correct record seek to have their name recorded against the majority decision.

e) Upon resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

9. Code of conduct (Wales)

All councillors shall observe the Code of Conduct and any subsequent amendments adopted by the Council. (See appendix 1 – Amendment to the Model Standing Orders for more information)

10. Disorderly conduct

a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

b) If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.

c) If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting

11. Rescission of previous resolutions

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 (2) councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.

12. Voting on appointments

a) Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

13. Expenditure

a) Any expenditure incurred by the council shall be in accordance with the Council's financial regulations.

b) The Council's financial regulations shall be reviewed once a year.

c) The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14. Execution and sealing of legal deeds

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

(The above is applicable to a Council without a common seal.)

15. Committees

a) The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:

i. Shall determine their terms of reference;

ii. May permit committees to determine the dates of their meetings;

iii. Shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;

iv. May appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have previously confirmed to the Proper Officer that they are unable to attend;

16. Sub-Committees

A) Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17. Extraordinary meetings

a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

b) If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such meeting must be signed by the two councillors.

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

d. If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

18. Advisory committees (Task & Finish Groups)

a) The Council may appoint advisory committees (Task & Finish Groups) comprised of a number of councillors and non-councillors.

19. Accounts and Financial Statement

a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

b) The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31st March, a Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31st March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to

external audit), including the annual governance statement, shall be presented to Council for formal approval before 30th June.

20. Estimates/ Precepts

- a) The council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b) Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21. Canvassing of and recommendations by Councillors

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

22. Inspection of documents

- a) Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23. Unauthorised activities

- a) 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.

iii. Commit or promise the support or action of the Council.

24. Confidential business

a) Councillors (and employees) shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.

b) A councillor in breach of the provisions of standing order (a) above may be removed from a committee or sub-committee by a resolution of the Council.

25. Well-being of Future Generations (Wales) Act 2015

a) Before exercising the power to promote well-being, 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 Community or Town Council (as stated in section 40(1) of the Act.

b) The Council's period of eligibility begins on the date that the resolution understanding order (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.

c) After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility.

26. Matters affecting council employees

a) If a meeting considers any matters personal to Council employee, it shall not be considered until the Council OR Personnel Committee has decided whether or not the press and public shall be excluded.

b) Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of the Personnel Committee or, in his absence, the Vice- Chairman(of Personnel Committee) of any absence occasioned by illness or urgency and that person shall report such absence to the Personnel Committee at its next meeting.

c) The Chairman of the Personnel Committee or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the employee's job title and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Personnel Committee at its next meeting.

d) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Personnel Committee or in his absence, the Vice-Chairman of the Personnel Committee in respect of an informal or formal grievance matter, and this matter shall be reported and progressed by resolution of a newly appointed subcommittee.

e) Subject to the Council's policy regarding the handling of grievance (see employees contract of employment) and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Personnel Committee this shall be communicated to the Council and progressed by resolution of a newly appointed subcommittee.

f) 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.

g) The Council shall keep written records relating to employees shall be secured under lock and key.

h) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

i) Only persons with line management responsibilities shall have access to employee records referred to in standing orders (g) and (h) above if so justified.

j) Access and means of access by keys to records of employment referred to in standing orders (g) and (h) above shall be held by the Proper Officer and provided only to the post holder and with good cause, to the Chairman of the Personnel Committee.

27. Freedom of Information Act 2000

a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling request under the Freedom of Information Act 2000.

b) Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The said Council 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 understanding order 3 (x) above (page 4).

c) Such actions are to comply with the provisions of the General Data Protection Regulation 2018 where applicable.

28. Relations with the press/media including Social Media

- a) All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media i.e. The Proper Officer in conjunction with the Town Mayor.
- b) In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not provide oral or written statements or written articles to the press or other media in respect of Council business.
- c) Paragraphs 28a and b above also apply to all forms of Social Media where applicable.

29. Financial Matters

- a) The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include the following:
 - b) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 29(c) below.
 - c) Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract should be advertised locally;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
 - d) Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
 - e) Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce, 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 and, if either of those Regulations apply, the Council must comply with EU procurement rules.

30. Liaison with and County Borough Councillors

a) As per Charter Agreement.

31. Co-option of Members of Town / Community Councils

a) When the council intends to fill a vacancy by co-option, the Council must ensure the process is as set out in Local Government (Wales) Measure 2011, Part 7: Communities and Community Councils [Chapter 3].

b) All applications received for co-option are submitted to Members by way as an agenda item. A secret ballot will take place during the said meeting with the Proper Officer and a Member from each group to act as tellers. Please note that NO discussion is required.

32. Allegations of breaches of the code of conduct

a) On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to a committee known as the Grievance committee (Standards committee).

(b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Grievance (or Standards) committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

c) 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.

d) The subject matter of notifications shall be confidential and, in so far as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Grievance (or Standards) Committee shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.

ii. Ensure that any background papers containing the information set out in standing order 32(a) above are not made public.

iii. Ensure that the public and press are excluded from meetings as appropriate.

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.

e) Standing order (d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Grievance 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.

f) The Grievance committee 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.

g) References in standing order 32 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

Please note that following discussions with the Public Ombudsman for Wales Paragraph 32 as stated above should be substituted with the following:

32 Any breach or an alleged breach of the code of conduct by a Councillor must be referred to the Public Ombudsman for Wales who will provide advice and guidance as to how the matter should be dealt with.

33. Variation, revocation and suspension of standing orders

a) Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

b) A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

34. Standing Orders to be given to councillors

a) The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

b) The Chairman's decision as to the application of standing orders at meetings shall be final.

c) A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

35. Delegated Powers

In the event of any period of recession e.g. the month of August and the Christmas period, the Town Clerk and the Leader of the Council jointly are awarded delegated powers.

36. Appointment of Chair / Town Mayor (or Deputy)

Prior to the Annual Meeting of the Council held in May, written nominations are invited in respect of the position of Town Mayor/Chairman of the Council.

If there is a Deputy Town Mayor/Chairman of the Council in post then that Member will automatically assume the position of Town Mayor/Chairman of the Council at the Annual Meeting (unless he/she declines the position) and nominations are then invited for the position of Deputy Town Mayor/Deputy Chairman of the Council.

Members are able to nominate themselves for the position and the Member in receipt of most nominations shall be appointed as Town Mayor/Chairman of the Council or Deputy (as outlined above).