

## **MODEL STANDING ORDERS 2018 (ENGLAND) — UPDATED APRIL 2022**

National Association of Local Councils (NALC)

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This is version two of Model Standing Orders 2018 (England) updated on April 2022.  
(Updated to Model Standing Order 18 only.)

### DRAFTING NOTES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

### HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.



## **STANDING ORDERS** For agreement Jan 2025

1. RULES OF DEBATE AT MEETINGS – no adopted standing orders
2. DISORDERLY CONDUCT AT MEETINGS – no adopted standing orders
3. MEETINGS GENERALLY – (reference Full Council meetings)
  - a **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.**
  - b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
  - d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
  - e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
  - h In accordance with standing order 3(e) above, there is no requirement for a question from the public to be answered or debated at the meeting. The chair of the meeting may direct that a written or oral response be given at a later date.
  - l **Subject to standing order 3(m) below, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
  - m **A person present at a meeting may not, without permission, provide an oral report or oral commentary about a meeting as it takes place.**
  - n **The press shall be provided with reasonable facilities for taking of their report of all or part of a meeting at which they are entitled to be present.**
  - o **Subject to standing orders which indicate otherwise, anything authorised or required of the Chair of the Council may in their absence be undertaken by the Vice-Chair of the Council (where there is one).**
  - p **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent, the Vice-Chair (if there is one) if present, shall preside. If both the Chairman and Vice-Chair are absent, a councillor as chosen by councillors present at the meeting shall preside at the meeting.**

- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting.**
- r **The chair of a meeting may give an original vote on any matter put to the vote and, in the case of an equality of votes, may exercise their casting vote whether or not they gave an original vote.**

*See standing orders '5 Ordinary Council Meetings' (h) and (i) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

- s **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.**

- t The minutes of a meeting shall include *inter alia* an accurate record of:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and those absent;
  - iii. interests that have been declared by councillors;
  - iv. the grant of dispensations (if any) to councillors;
  - v. if a councillor with a pecuniary interest left the meeting when matters in which they held the interest were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.

- u **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.**

- v **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 three.**

- w **If a meeting is or becomes inquorate, no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

4. COMMITTEES AND SUB-COMMITTEES – no adopted standing orders

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair (and Vice-Chair if there is one) of the Council.**
- f **The Chair of the Council (unless they resign or becomes disqualified) shall continue in office for a year and preside until their successor is elected at the next annual meeting of the Council.**

- g **The Vice-Chair of the Council, if there is one (unless they resign or becomes disqualified) shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. 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 shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair (if there is one) at the annual meeting, the business shall include:
  - i. In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;

6. EXTRAORDINARY MEETINGS OF THE COUNCIL

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

7. PREVIOUS RESOLUTIONS – no adopted standing orders

8. VOTING ON APPOINTMENTS – no adopted standing orders

9. MOTIONS REQUIRING WRITTEN NOTICE – no adopted standing orders

10. MOTIONS NOT REQUIRING WRITTEN NOTICE – no adopted standing orders.

11. MANAGEMENT OF INFORMATION

*See also standing order '20 Responsibilities to Provide Information'*

- a **The Council shall 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 shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall 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 shall confirm the period for which information (including personal data)**

**shall be retained or if this is not possible the criteria used to determine that period (eg the Limitation Act 1980).**

- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose, or otherwise undermine, confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. DRAFT MINUTES

- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- e **If the Council's gross annual income or expenditure does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**

13. CODE OF CONDUCT AND DISPENSATIONS

*See also standing order '3 Meetings Generally' (u) above.*

- d **Dispensation requests shall be in writing and submitted to the proper officer.**
- h **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 transacting the business as to impede the transaction of the business;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- d **Upon notification by the Borough Council that a councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

15. PROPER OFFICER

- b The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council,**
    - **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);**

- iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in that office;**
  - iv. **facilitate inspection of the minutes by local government electors;**
  - v. **receive and retain copies of byelaws made by other local authorities.**
16. RESPONSIBLE FINANCIAL OFFICER – no adopted standing orders, see Finance Regs.
17. ACCOUNTS AND ACCOUNTING STATEMENTS – no adopted SO, see Finance Regs.
18. FINANCIAL CONTROLS AND PROCUREMENT
- 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 referred to in standing order 18(f) below is subject to the 'light touch' arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
  - f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.**  
NALC's procurement guidance contains further details.
19. HANDLING STAFF MATTERS – no adopted standing orders.
20. RESPONSIBILITIES TO PROVIDE INFORMATION
- See also standing order 21 below.*
- a. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
  - b. If gross annual income or expenditure does not exceed £25,000, **the Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**  
If gross annual income or expenditure exceeds £200,000, **the Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION  
(Below is not an exclusive list)
- See also standing order '11 Management of Information' above.*
- b. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.**
  - c. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
  - d. **The Council shall 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 shall 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 shall maintain a written record of its processing activities.**
22. RELATIONS WITH THE PRESS/MEDIA – no adopted standing orders.
23. EXECUTION AND SEALING OF LEGAL DEEDS
- See also standing order '15 Proper Office' (b)(xii) and (xvii).
- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
  - b **Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**
24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS  
– no adopted standing orders.
25. RESTRICTIONS ON COUNCILLOR ACTIVITIES – no adopted standing orders.
26. 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.

*End of Standing Orders*