



STANDING ORDERS

for Royston Town Council

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Introduction

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 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.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

Council meeting refers to Full Council

Standing Committees	Finance	Planning	General Purpose and Highways
Sub-Committees	Markets Advisory Cave Advisory		
Working Parties	May Fayre Human Resources		
Charities	Leete Charity Cave Trust Fund Mayor's Trust Fund		

Working party reporting to Full Council –Diversity Forum

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or

- v. to exercise a right of reply.
- p During the debate on 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 other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a 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 no longer heard or 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; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings ●
 Committee 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.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**
- 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.
- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak and stand when speaking, (except in Committee meetings where they can remain seated and, except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l **Subject to standing order 3(m), 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 provide an oral report or oral**

- commentary about a meeting as it takes place without permission.
- n The press shall be provided with reasonable facilities for the 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 to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- p The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the 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 and non-councillors with voting rights present and voting.
- r The chairman 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 his casting vote whether or not he gave an original vote.
- See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who have given apologies;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- u A councillor or a non-councillor with voting rights 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 his 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.**

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- 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.

x A meeting shall not exceed a period of 2 ½ hours.

4. COMMITTEES AND SUB-COMMITTEES

a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**

d The Council may appoint standing committees or other committees as may be necessary, and:

- i. shall determine their terms of reference;
- ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing orders 4(b) and (c), appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chairman and vice-chairman of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee;

- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may dissolve a committee or a sub-committee.

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.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- 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 Chairman and Vice-Chairman (if there is one) of the Council.**
- f **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.**
- g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **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 annual meeting 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 shall give a casting vote in the case of an equality of votes.**
- i **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 annual 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 shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chairman 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 Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;

- iii. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4;
- ix. Review and adoption of appropriate standing orders and financial regulations (financial regulations delegated to Finance Committee);
- x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. 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;
- xiii. Review of inventory of land and other assets including buildings and office equipment;
- xiv. Review of the Council's and/or staff subscriptions to other bodies (delegated to Finance Committee);
- xv. Review of the Council's complaints procedure;
- xvi. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xvii. Review of the Council's policy for dealing with the press/media;
- xviii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- 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 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.**
- c The chairman of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d If the chairman of a committee or a sub-committee does not call an extraordinary meeting within 10 days of having been requested to do so by 3 members of the committee or the sub-committee, any 3 members of the committee or the sub-committee may convene an extraordinary meeting of the committee or the sub-committee.

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least five councillors to be given to the Proper Officer in accordance with standing order 9, 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 7(a) has been disposed of, no

similar motion may be moved for a further six months.

8. VOTING ON APPOINTMENTS

- a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten clear working days before the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least seven clear days before the meeting.
- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received wherever possible.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;

- viii. to require a written report;
- ix. to appoint a committee, sub-committee or working party and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

11. MANAGEMENT OF INFORMATION

See also standing order 20.

- 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 (e.g. 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

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- 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 shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, 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 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 his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e **If the Council's gross annual income or expenditure (whichever is**
- **higher) 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.**

- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(u).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 13(e) 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

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall 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 14(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 statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights 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

- a The Proper Officer shall be either (i) the clerk or (ii) other 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 shall:
 - i. **at least three clear days 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).**

See standing order 3(b) for the meaning of clear days for a meeting of a full

council and standing order 3(c) for the meaning of clear days for a meeting of a committee;

- ii. subject to standing order 9, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iv. **facilitate inspection of the minute book by local government electors;**
- v. **receive and retain copies of byelaws made by other local authorities;**
- 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 (if there is one);
- 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 paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed; (*see also standing order 23*);
- 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;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
(*see also standing order 23*).

16. RESPONSIBLE FINANCIAL OFFICER

- a The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- 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 shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council 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 shall 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 shall be presented to all councillors at least 7 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the 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 shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall 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 referred to in standing order 18(f) 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).**
- d. 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 shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall 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. the invitation to tender shall be advertised in a local newspaper or in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- 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

- a. A matter personal to a member of staff that is being considered by a meeting of the Finance committee is subject to standing order 11.
- b. Subject to the Council’s policy regarding absences from work, the Council’s most senior member of staff shall notify the chairman of the Human Resources working party or, if he is not available, the vice-chairman (if there is one) of the Human Resources working party of absence occasioned by illness or other reason and that person shall report such absence to the Human Resources working party at its next meeting.
- c. The chairman of the Human Resources working party or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual

appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by the Human Resources working party.

- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Human Resources working party or in his absence, the vice-chairman of the Human Resources working party in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by the Human Resources working party.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the chairman or vice-chairman of the Human Resources working party, this shall be communicated to another member of the Human Resources working party, which shall be reported back and progressed by the Human Resources working party.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(f).

20. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- 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. **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.*

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his 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

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 15(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), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless duly authorised no councillor shall:
 - i. inspect any land or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

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.
- 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, shall be proposed by a special motion, the written notice by at least 10 councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Agenda item 16 – To review the Council's asset register

<u>ROYSTON TOWN COUNCIL</u>			
<u>ASSET REGISTER - 31st March 2022</u>			
Town Hall	Hardwicke Hall		£168,847.53
	Heritage Hall		£15,642.94
Complex	Rooms 4/6/Cash Office/file store		£7,505.40
	Room 5		£5,419.50
	Room 7		£4,062.65
	Rooms 11 & 19		£2,087.40
	Room 18 - Royston First		£1,425.00
	Markets/Caretakers Office		£1,713.00
	RCA Kitchen		£94.99
Markets			£19,256.72
Market Place	Cycle rack and shelter		£3,078.00
Market Hill Rooms			£9,289.14
Museum			£85,546.83
Museum Collection			£343,715.00
	Civic Regalia		£5,664.00
	Civic name boards (3)		£1,250.00
	Christmas lights		£13,975.00
	Saltbin		£205.00
External notice boards	Templars Gate		£310.00
	Coombelands		£310.00
	Icknield Walk		£310.00
Plantations	3 benches		£930.00
	5 Information boards		£4,140.00
Bus Shelter	Icknield Walk		£10,941.00
		Total	£705,719.10
<u>ROYSTON TOWN COUNCIL</u>			
<u>ASSET REGISTER - 31st March 2022</u>			
<u>COMMUNITY ASSETS</u>	<u>VALUE</u>		
Stile Plantation - Community	£1		
Green Walk Plantation	£1		
Green Street Allotments	£1		
Royston Cave - Community L	£1		
War Memorial	£168,233		
Town Hall	£1,914,458		
Market Hill Rooms	£465,804		
30 Kneesworth Street	£434,928		
Market Place	£300,000		
TOTAL	£3,283,427		

Agenda item 18 – General Power of Competence

THE GENERAL POWER OF COMPETENCE

1. BACKGROUND

1.1 Parish and Town Councils are corporate bodies that have accumulated powers through legislation since 1894. Their powers were constrained to specific and appropriate legislation. This means that before undertaking anything, members must be satisfied that the Council has the power (under a specified statute) to undertake that activity.

1.2 Parish councils have many specific powers in addition to section 137 of the Local Government Act 1972. Section 137 permits expenditure up to certain limits for “purposes not otherwise authorised”.

1.3 Despite the wide range of powers, parish and town councils are always at risk of being challenged, especially if they undertake an unusual activity.

1.4 In consequence, the Government included a “general power of competence” in the Localism Act 2011 (Part 1, Chapter 1, ss 1-8). It was brought into force by SI 965 the Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012 in April 2012.

2. LEGISLATIVE BACKGROUND

2.1 The intention of the general power of competence legislation is that eligible local authorities will no longer have to identify specific powers to undertake an activity. As a result, the risk of legal challenge will be reduced. It is stated in the above Statutory Instrument that:

“The Government’s intention in providing eligible parish councils with the general power of competency is to better enable them to take on their enhanced role and allow them to do things they have previously been unable to do under existing powers”.

2.2 Under the new legislation, eligible councils have “the power to do anything that individuals generally may do” as long as they do not break other laws. It is intended to be the power of first, not last, resort. The eligible council has to ask itself if an individual is allowed to do it. If the answer is “yes”, then a parish council is normally permitted to act in the same way.

3. TYPES OF ACTIVITIES

3.1 Examples of some activities covered by the legislation include:

- Lending or investing money
- Establishing a company or co-operative society to trade and engage in commercial activity
- Establishing a company to provide services such as local transport
- Providing grants to individuals.

3.2 The power is not restricted to use within the Parish, an eligible council can use it anywhere.

4. RESTRICTIONS AND RISKS

4.1 The only real limitation is that the general power of competence cannot be used to circumvent an existing restriction in an existing specific power. The general power of competence is a power; it cannot be used to raise the precept.

4.2 All existing legal duties remain in place for the council. There are also many existing procedural and financial duties that remain in place for the regulation of governance, for example there can be no delegation to a single councillor. Furthermore, councils must comply with relevant existing legislation such as employment law, health and safety, and duties relating to data protection.

4.3 If another council has a statutory duty to provide a service for example education services, social service, highways, footpaths and rights of way, it remains their duty to

provide it. Nonetheless, eligible councils may assist. The eligible council would need to ask itself whether an individual or private company could help. If the answer is “yes”, the council can assist.

4.4 Whist councils are encouraged to be innovative, they should be aware of the risks of:

- Being challenged
- Their trading activities damaging other local enterprises
- Damage to the council’s reputation and public money if a project or investment goes wrong.

5. LOCAL GOVERNMENT ACT 1972 – Section 137

5.1 Expenditure under the Local Government Act (s137) is limited and has to be budgeted for separately. Expenditure is restricted in that it cannot be used to give money to individuals and the amounts must be commensurate with the benefit. Section 137 is therefore often referred to as a power of last resort.

5.2 A council that is eligible to use the general power of competence can no longer use Section 137 as a power for taking action for the benefit of the area.

6. ELIGIBILITY

6.1 There are three conditions for eligibility that are set out in the Statutory Instrument:

a. Resolution:

The Council must resolve at a meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the clerk.

b. Electoral Mandate:

At the time the resolution is passed, at least two thirds of the council must hold office as a result of being declared elected (i.e. not co-opted). For Royston Town Council 10 of the 15 Councillors must have been elected.

c. Qualified Clerk

At the time that the resolution is passed, the Parish/Town Clerk must hold a recognised professional qualification:

The Certificate in Local Council Administration (CiLCA); The Certificate of Higher Education in Local Policy; or The Certificate of Higher Education in Local Council Administration;

6.2 Having decided at a full meeting of the council that it meets the criteria for eligibility at that particular time, a resolution to this effect must be clearly written in the minutes. The council is then required to revisit that decision and make a new resolution at every ‘relevant’ annual meeting of the council to confirm that it still meets the criteria (if it does). A ‘relevant’ annual meeting is the annual meeting of the council after the next ordinary election has taken place.

6.3 In consequence, eligibility remains in place until the ‘relevant’ annual meeting even if the conditions of the eligibility criteria have changed. If the council loses its qualified clerk or has insufficient elected councillors it must also record its ineligibility at the next ‘relevant’ meeting.

6.4 Royston Town Council satisfies the conditions:

- Of the 15 Councillors - 15 have been elected.
- The Town Clerk holds the CiLCA Qualification, passing on 23rd November 2016.

7. RECOMMENDATION

7.1 It is recommended that Town Councillors consider this report and pass the following resolution:

“The Town Council resolves from 16th May 2022, until the next relevant Annual Meeting of the Council, that having met the conditions of eligibility as defined in the Localism Act 2011, to adopt the General Power of Competence”.

Agenda item 19 – Complaints Procedure

Royston Town Council

COMPLAINTS PROCEDURE

1. Royston Town Council is committed to providing a quality service for the benefit of the people who live or work in its area or are visitors to the locality. If you are dissatisfied with the standard of the service you have received from this council. Or are unhappy about an action or lack of action by this council, the Complaints Procedure sets out how you may complain to the council and how we shall try to resolve your complaint.
2. The following procedure will be adopted for dealing with complaints about the council's administration or its procedures and may include complaints about how council employees have dealt with your concerns. Complaints about a policy decision made by the council will be referred back to the council, or relevant committee, as appropriate, for consideration.
3. Complaints made by one employee against another employee, or between a council employee and the council as an employer are dealt with under the council's disciplinary and grievances procedures.
4. This procedure does not cover complaints about the conduct of a Member of the Town Council. These are covered under the Code of Conduct for Members and if a complaint is received by the Town Council it will be referred to the North Herts Council Monitoring Officer. Further information about dealing with complaints against councillors can be obtained from the Monitoring Officer.
5. The complainant will be asked to put the complaint in writing (letter/e-mail) to the Town Clerk at Town Hall Offices, Melbourn Street, Royston, Herts, SG8 7DA. The complaint will be acknowledged within 14 days of receipt. All relevant documents should be included.
6. If the complainant prefers not to put the complaint to the Town Clerk (because the matter relates to the Clerk) he/she should be advised to write to the Chairman of the Human Resources working party.
7. The complainant will be asked at the outset to confirm if he/she wants the complaint to be treated confidentially.
8. On receipt of a written complaint, the Town Clerk (except where the complaint is about his or her own actions) or Chair of the Human Resources working party (if the complaint relates to the Clerk) will:
 - a) Confirm to the complainant that the complaint will be treated as confidential, if requested;
 - b) Confirm the next steps in the complaints procedure.
 - c) Seek to settle the complaint directly with the complainant. This will not be done without first notifying any person complained about and giving him/her an opportunity to comment. Efforts will be made to resolve the complaint at this stage.
9. The Town Clerk (or HR Chair) will report any complaint disposed of by direct action with the complainant to the next meeting of the Human Resources working party.

10. The Town Clerk (or HR Chair) will report any complaint that has not been resolved to the next meeting of the Human Resources working party. The Clerk will notify the complainant of the date on which the complaint will be considered.
11. Matters relating to Grievance or Disciplinary proceedings that are taking, or are likely to take place, should be dealt with in accordance with the Council's grievance and disciplinary procedures.
12. The Council may consider in the circumstances of any particular complaint whether to make any without liability payment or provide other reasonable benefit to any person who has suffered loss as a result of the Council's maladministration. Any payment may only be authorised by the Council after obtaining legal advice and advice from the Council's auditor on the propriety of such a payment.
13. As soon as possible after the decision has been made (and in any event not later than 20 days after the meeting) the complainant will be notified in writing of the decision and any action to be taken. The Council will give reasons for its decision.
14. The Council may defer dealing with any complaint if it is of the opinion that issues arise on which further advice is necessary. The advice will be considered and the complaint dealt with at the next meeting after the advice has been received.
15. The decision of the Council is final with no appeal process as the Local Government Ombudsman does not consider complaints in respect of Town and Parish Councils

Contact details

Town Clerk: town.clerk@roystontowncouncil.gov.uk 01763 245484

Town Council Offices, Melbourn Street, Royston, Herts SG8 7DA

Adopted – 16th May 2022

Minute Reference: /23

Agenda item 20 – Freedom of Information Policy and Publication Scheme

Royston Town Council Freedom of Information Policy and Publication Scheme Adopted 16th May 2022 Minute number: /23 Review date: May 2023

Introduction

This scheme will enable members of the public to view and access information held by the Town Council.

Obtaining Information

There are three ways to obtain the information:

- **Inspect Documents at the Town Council Offices**

Some information may only be available by viewing in person. Where this manner is specified you should contact the Clerk, either by telephone, email or in writing. Some documents require some time to locate, so it may be necessary to make an appointment. This will be arranged within a reasonable timescale.

- **Individual Written Request**

If the information is not included in the publication scheme outlined below you may send a written request to: The Town Clerk, Royston Town Council, Town Hall Offices, Melbourn Street, Royston SG8 7DA or by email to town.clerk@roystontowncouncil.gov.uk

Your request must include your name, address for correspondence, and a description of the information you require.

- **Visit the Town Council Website:** www.roystontowncouncil.gov.uk

Where it is within the capability of the council, information will be provided on its website. When an individual does not wish to access the information by the website, alternative means will be provided.

Obligations under disability and discrimination legislation and any other legislation to provide information in other forms and formats will be adhered to when providing information in accordance with this scheme.

Written Requests

Information held by a public authority that is not published under the publication scheme can be requested in writing and its provision will be considered in accordance with the requirements of the Freedom of Information Act 2000.

Within 20 working days of receipt of your written request the Council will:

- confirm to you whether or not it holds the information
- advise you if a fee will be charged
- provide you with the information (after any relevant fee has been paid) unless an exemption applies (see 'Exemptions' paragraph below).

Fees

The Act only allows the Council to charge for answering Freedom of Information requests in the following circumstances:

1. Disbursement costs such as printing, photocopying and postage; and
2. When estimated staff costs involved in locating and or compiling the information exceed £450. Under these circumstances, the Council can refuse the request on

the grounds of cost, or charge the applicant £25 per hour, plus disbursements for the estimated work.

For the majority of requests, or a series of requests from the same applicant within a 12 month period, it is expected that the charge for locating and compiling information will be less than £450 and therefore, except for disbursement costs, no reimbursement can be sought.

However, where costs are estimated to exceed £450 (based on an hourly charge-out rate of £25), the Council can decide to:

- refuse the request; or
- comply with the request and charge for allowable costs as prescribed in the regulations; or
- comply with the request free of charge.

If the estimated cost of a request is more than £450, and it is decided to release the information and make a charge for the information then:

- A fee notice will be sent to the applicant requesting the appropriate fee.
- The request will not be answered until the fee has been received.
- If the actual cost of completing the request is more than the estimate then the Council will incur the additional cost.
- Where the cost is less than the estimated cost then the difference will be refunded to the applicant.

For disbursements costs, it is proposed that the Council will charge 10p per sheet for photocopying and printing documents, and recover the actual cost of postage or any other transmission costs from the applicant.

Exemptions

Some information may not be provided by the Council as there are 23 exemptions in the Freedom of Information Act, for example, personal data about individuals which is protected by the Data Protection Act 1998 and 2018, commercially confidential information or information provided under legal professional privilege.

Further Help

If you need help in accessing information from the Council under the Freedom of Information Act, please contact the Town Clerk (address as before).

You will also find more detailed guidance on the website of the Information Commissioner <https://ico.org.uk>

Complaints

If you are dissatisfied with the response from the Council then you should put your complaint in writing to the Clerk at the address above. If you are still dissatisfied, you may contact the Information Commissioner using the contact details on the ICO website

<https://ico.org.uk/concerns/>

Information available under the Royston Town Council Publication Scheme

Website: www.roystontowncouncil.gov.uk
email: town.clerk@roystontowncouncil.gov.uk

Information published	How the information can be obtained	Cost (hard copy only)
Class 1 - Who we are and what we do		
Who's who on the Council and its Committees	Hard copy/Email/Online	10p per sheet
Contact details for Town Clerk and Council members	Hard copy/Email/Online	10p per sheet
Location of main Council office and accessibility details	Hard copy/Email/Online	10p per sheet
Staffing structure	Hard copy/Email/Online	10p per sheet
Class 2 - What we spend and how we spend it		
Annual return and audit reports	Hard copy/Email/Online	10p per sheet
Finalised Budget and Precept information	Hard copy/Email/Online	10p per sheet
Borrowing Approval letter	Hard copy/Email	10p per sheet
Standing Orders and Financial Regulations	Hard copy/Email/Online	10p per sheet
Grants given and received	Hard copy/Email	10p per sheet
List of current contracts awarded and value of contract	Hard copy/Email	10p per sheet
Members Allowances and expenses	N/A	
Payments to suppliers	Hard copy/Email/Online	10p per sheet
Class 3 – What our priorities are and how we are doing		
Annual Report and newsletters	Hard copy/Email/Online	10p per sheet
Annual Town Meeting Minutes	Hard copy/Email/Online	10p per sheet

Local Council Award Scheme status	Hard copy/Email	10p per sheet
Class 4 – How we make decisions		
Timetable of meetings	Hard copy/Email/Online	10p per sheet
Agendas of meetings	Hard copy/Email/Online	10p per sheet
Minutes of meetings	Hard copy/Email/Online	10p per sheet
Reports presented to council (this will exclude information that is not available to the public)	Hard copy/Email/Online	10p per sheet
Responses to consultation papers	Hard copy/Email	10p per sheet
Responses to planning applications	Hard copy/Email/Online	10p per sheet
Class 5 – Our policies and procedures		
All adopted policies not solely related to the employment of staff	Hard copy/Email/Online	10p per sheet
All adopted policies relating solely to the employment of staff	Hard copy/Email	10p per sheet
Class 6 – Lists and Register		
Assets Register	Hard copy/Email	10p per sheet
Register of members' interests	Online - Link to District Council website	N/a
Register of gifts and hospitality	Hard copy/Email	10p per sheet
Class 7 – The services we offer		
Allotments	Hard copy/Email/Online	10p per sheet
Town Hall & Market Hill Rooms - Hire of rooms & halls	Hard copy/Email/Online	10p per sheet
War Memorial	Online	

Markets	Hard copy/Email/Online	10p per sheet
Cave	Email/Online	
Plantations – tree surveys	Email/Online	

Contact details:

Town Clerk, Town Council Offices, Melbourn Street, Royston, Herts SG8 7DA
Tel: 01763 245484 Email: town.clerk@roystontowncouncil.gov.uk

SCHEDULE OF CHARGES

TYPE OF CHARGE	DESCRIPTION	BASIS OF CHARGE
Disbursement cost	Photocopying 10p per sheet (black & white)	Actual cost
	Postage	Actual cost of Royal Mail standard 2 nd class
Statutory Fee		In accordance with the relevant legislation

Agenda Item 21 – Data Protection Policy

Royston Town Council Information & Data Protection Policy Adopted by Full Council 16th May 2022 Minute number /23 Review date May 2023

INTRODUCTION

In order to conduct its business, services and duties, Royston Town Council (the Council) processes a wide range of data, relating to its own operations and some which it handles on behalf of partners. In broad terms, this data can be classified as:

- Data shared in the public arena about the services it offers, its mode of operations and other information it is required to make available to the public.
- Confidential information and data not yet in the public arena such as ideas or policies that are being worked up.
- Confidential information about other organisations because of commercial sensitivity.
- Personal data concerning its current, past and potential employees, Councillors, and volunteers.
- Personal data concerning individuals who contact it for information, to access its services or facilities or to make a complaint.

The Council will adopt procedures and manage responsibly, all data which it handles and will respect the confidentiality of both its own data and that belonging to partner organisations it works with and members of the public. In some cases, it will have contractual obligations towards confidential data, but in addition will have specific legal responsibilities for personal and sensitive information under data protection legislation.

The Council will periodically review and revise this policy in the light of experience, comments from data subjects and guidance from the Information Commissioners Office.

The Council will be as transparent as possible about its operations and will work closely with public, community and voluntary organisations. Therefore, in the case of all information which is not personal or confidential, it will be prepared to make it available to partners and members of the town's communities. Details of information which is routinely available is contained in the Council's Publication Scheme which is based on the statutory model publication scheme for local councils.

PROTECTING CONFIDENTIAL OR SENSITIVE INFORMATION

The Council recognises it must at times, keep and process sensitive and personal information about both employees and the public, it has therefore adopted this policy not only to meet its legal obligations but to ensure high standards. The General Data Protection Regulation (GDPR) seeks to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Council with legitimate reasons for using personal information.

The policy is based on the premise that Personal Data must be:

- Processed fairly, lawfully and in a transparent manner in relation to the data subject.
- Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes.

- Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed.
- Accurate and, where necessary, kept up to date.
- Kept in a form that permits identification of data subjects for no longer than is necessary for the purposes for which the personal data is processed.
- Processed in a manner that ensures appropriate security of the personal data including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

DATA PROTECTION TERMINOLOGY

Data subject - means the person whose personal data is being processed.

That may be an employee, prospective employee, associate or prospective associate of the Council or someone transacting with it in some way, or an employee, Member or volunteer with one of our clients, or persons transacting or contracting with one of our clients when we process data for them.

Personal data - means any information relating to a natural person or data subject that can be used directly or indirectly to identify the person.

It can be anything from a name, a photo, an address, date of birth, an email address, bank details, and posts on social networking sites or a computer IP address.

Sensitive personal data - includes information about racial or ethnic origin, political opinions, and religious or other beliefs, trade union membership, medical information, sexual orientation, genetic and biometric data or information related to offences or alleged offences where it is used to uniquely identify an individual.

Data controller - means a person who (either alone or jointly or in common with other persons) (e.g. the Town Council) determines the purposes for which and the manner in which any personal data is to be processed.

Data processor - in relation to personal data, means any person (other than an employee of the data controller) who processes the data on behalf of the data controller.

Processing information or data - means obtaining, recording or holding the information or data or carrying out any operation or set of operations on the information or data, including:

- organising, adapting or altering it
- retrieving, consulting or using the information or data
- disclosing the information or data by transmission, dissemination or otherwise making it available
- aligning, combining, blocking, erasing or destroying the information or data, regardless of the technology used.

Royston Town Council processes **personal data** in order to:

- fulfil its duties as an employer by complying with the terms of contracts of employment, safeguarding the employee and maintaining information required by law;
- pursue the legitimate interests of its business and its duties as a public body, by fulfilling contractual terms with other organisations, and maintaining information required by law;
- monitor its activities including the equality and diversity of its activities;
- fulfil its duties in operating the business premises including security;
- assist regulatory and law enforcement agencies;
- process information including the recording and updating details about its Councillors, employees, partners and volunteers;
- process information including the recording and updating details about individuals who contact it for information, or to access a service, or make a complaint;
- undertake surveys, censuses and questionnaires to fulfil the objectives and purposes of the Council;
- undertake research, audit and quality improvement work to fulfil its objects and purposes;
- carry out Council administration.

Where appropriate and governed by necessary safeguards we will carry out the above processing jointly with other appropriate bodies from time to time.

The Council will ensure that at least one of the following conditions is met for personal information to be considered fairly processed:

- The individual has consented to the processing
- Processing is necessary for the performance of a contract or agreement with the individual
- Processing is required under a legal obligation
- Processing is necessary to protect the vital interests of the individual
- Processing is necessary to carry out public functions
- Processing is necessary in order to pursue the legitimate interests of the data controller or third parties.

Particular attention is paid to the processing of any **sensitive personal information** and the Town Council will ensure that at least one of the following conditions is met:

- Explicit consent of the individual
- Required by law to process the data for employment purposes

A requirement in order to protect the vital interests of the individual or another person
WHO IS RESPONSIBLE FOR PROTECTING A PERSON'S PERSONAL DATA?

The Town Council as a corporate body has ultimate responsibility for ensuring compliance with the Data Protection legislation. The Council has delegated this responsibility day to day to the Town Clerk.

- Email: town.clerk@roystontowncouncil.gov.uk
- Phone: 01763 245484
- Correspondence: The Town Clerk, Royston Town Council, Town Council Offices, Melbourn Street, Royston, Herts SG8 7DA

INFORMATION PROVIDED TO US

The information provided (personal information such as name, address, email address, phone number) will be processed and stored so that it is possible for us to contact, respond to or conduct the transaction requested by the individual. By transacting with Royston Town Council, individuals are deemed to be giving consent for their personal data provided to be used and transferred in accordance with this policy, however where ever possible specific written consent will be sought. It is the responsibility of those individuals to ensure that the Council is able to keep their personal data accurate and up-to-date. The personal information will be not shared or provided to any other third party or be used for any purpose other than that for which it was provided.

THE COUNCILS RIGHT TO PROCESS INFORMATION

General Data Protection Regulations and the Data Protection Act
Processing is with consent of the data subject, or
Processing is necessary for compliance with a legal obligation, or
Processing is necessary for the legitimate interests of the Council.

INFORMATION SECURITY

The Council cares to ensure the security of personal data. We make sure that your information is protected from unauthorised access, loss, manipulation, falsification, destruction or unauthorised disclosure. This is done through appropriate technical measures and appropriate policies.

We will only keep your data for the purpose it was collected for and only for as long as is necessary, after which it will be deleted.

CHILDREN

The Council will not process any data relating to a child (under 13) without the express parental/guardian consent of the child concerned.

RIGHTS OF A DATA SUBJECT

Access to Information: an individual has the right to request access to the information we have on them. They can do this by contacting the Town Clerk.

Information Correction: If they believe that the information we have about them is incorrect, they may contact us so that we can update it and keep their data accurate. Please contact the Town Clerk.

Information Deletion: If the individual wishes the Council to delete the information about them, they can do so by contacting the Town Clerk.

Right to Object: If an individual believes their data is not being processed for the purpose it has been collected for, they may object by contacting the Town Clerk.

The Town Council does not use automated decision making or profiling of individual personal data.

Complaints: If an individual has a complaint regarding the way their personal data has been processed, they may make a complaint to the Town Clerk or the Information Commissioner's Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

MAKING INFORMATION AVAILABLE

The Publication Scheme is a means by which the Council can make a significant amount of information available routinely, without waiting for someone to specifically request it. The scheme is intended to encourage local people to take an interest in the work of the Council and its role within the community.

In accordance with the provisions of the Freedom of Information Act 2000, this Scheme specifies the classes of information which the Council publishes or intends to publish and gives greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of the Council and its standing committees are subject to statutory notice being given on notice boards, the Website and sent to the local media. The Council publishes an annual programme in May each year. All formal meetings are open to the public and press and reports to those meetings and relevant background papers are available for the public to see and are published on the council's website. The Council welcomes public participation and has a public participation session on each Council and committee meeting. Details can be seen in the Council's Standing Orders, which are available on its Website or at its Offices.

Occasionally, Royston Town Council or its committees may need to consider matters in private. Examples of this are matters involving personal details of staff, or a particular member of the public, or where details of commercial/contractual sensitivity are to be discussed. This will only happen after a formal resolution has been passed to exclude the press and public. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 amend the Public Bodies (Admission to Meetings) Act 1960 to allow the public or press to film, photograph or make an audio recording of council and committee meetings normally open to the public. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting. The Council will be pleased to make special arrangements on request for persons who do not have English as their first language or those with hearing or sight difficulties.

DISCLOSURE INFORMATION

The Council will as necessary undertake checks on both staff and Members with the Disclosure and Barring Service and will comply with their Code of Conduct relating to the

secure storage, handling, use, retention and disposal of Disclosures and Disclosure Information.

DATA TRANSPARENCY

The Council will act in accordance with the Code of Recommended Practice for Local Authorities on Data Transparency (September 2011). This sets out the key principles for local authorities in creating greater transparency through the publication of public data and is intended to help them meet obligations of the legislative framework concerning information.

“Public data” means the objective, factual data on which policy decisions are based and on which public services are assessed, or which is collected or generated in the course of public service delivery.

The principles of the Code are:

Demand led: new technologies and publication of data should support transparency and accountability.

Open: the provision of public data will be integral to the Council's engagement with residents so that it drives accountability to them.

Timely: data will be published as soon as possible following production.

Agenda Item 22 – Media Relations Policy

MEDIA RELATIONS POLICY

Adopted by Full Council 16th May 2022 Minute number /23

Review date May 2023

1. INTRODUCTION

Royston Town Council's relationship with the community is vital to its work and its decision-making. Therefore, effective media relations are an important part of establishing such a relationship between the Town Council and the community.

It is not the intention of the policy to curb freedom of speech or to enforce strict rules and regulations, but to create an effective working relationship with the media.

The council has to be seen to be taking the opportunity to talk the media and to promote positively the council's activities.

2. KEY AIMS

2.1 The council is accountable to the local community for its actions and this can only be achieved through effective two-way communications. In this respect the media can play a crucial role in increasing public awareness of the work of the council and to explain the reasons for particular policies and priorities.

2.2 The media, itself, has a vital role to play in holding the council to account for its policies and actions.

2.3 It is important that the media has access to officers and members and to information as a whole unless it is deemed confidential.

3. LEGAL FRAMEWORK

3.1 The law governing communications in local authorities comes under the Local Government Act 1986 and the Local Government Act 1988. The council, too, has to respect the Code of Recommended Practice on Local Authority Publicity.

4. CONTACT WITH THE MEDIA

4.1 The Town Clerk is responsible for issuing press releases in consultation with the relevant councillor: such as Chairman of the Council or a Chairman of a committee.

4.2 Other councillors can talk to the media, but must ensure that it is clear that the opinions / comments given were their own and not necessarily those of the council.

4.3 Indeed, these guidelines are not to be interpreted as preventing members from expressing a personal opinion through the media, but members should take care not to misrepresent the council and be aware of their responsibilities under the Local Government Code of Conduct.

4.4 Councillors should act with integrity at all times when representing or acting on behalf of the council.

4.5 Letters submitted to the media for publication must make it clear that the views expressed are their own and do not reflect the views of the council or any of its members.

5. ATTENDANCE OF MEDIA AT COUNCIL MEETINGS

5.1 Under the Local Government Act 1972, the media is allowed to receive agendas, reports and minutes of meetings, and are encouraged to attend council meetings where workspace will be made available.

5.2 Both the press and the public are allowed to use social media, and record and film proceedings during council meetings.

5.3 Where a reporter(s) does not attend a meeting and seeks details of the proceedings, all enquiries should be directed to the Town Clerk, as should any request for clarification.

6. PRESS RELEASES

6.1 The purpose of a press release is to make the media aware of a potential story or event involving the council, to provide public information or to explain the council's position on a particular issue.

6.2 The press release will be the responsibility of the Town Clerk working in conjunction with the appropriate member(s).

7. MONITORING

7.1 It is important to monitor the media for items about the town council in order to know a) whether press releases and statements issued by the council are used effectively and b) what members of the community are saying about the council.

8. NON-COUNCIL RELATED MEDIA

8.1 Members of the council who have contact with the media as a member of non-council related organisations must not refer to their council posts and make it clear that they are speaking in a capacity on behalf of the non-council related organisation.

9. NEGATIVE ISSUES

9.1 Members must alert the Town Clerk to negative issues which might attract media interest as soon as possible.

9.2 Members and the Town Clerk must be prepared to work together to prepare holding statements while other research into the issue is carried out.

10. CORRECTING INACCURATE REPORTING

10.1 There may be occasions when the media does publish inaccurate information and it is essential that the council takes a quick decision on any action necessary for correction.

10.2 This could be through a press release, a conversation with the journalist concerned, or an approach to the editor to ensure that a correction is published.

10.3 In the case of minor inaccuracies which have limited impact, it can at times be counter-productive to complain: each case needs to be judged individually.

10.4 Occasionally, the council will get something wrong and in these cases damage limitation is the key. This can usually be achieved by admitting the mistake and stating that the council will learn from the mistake.

Agenda item 23 – Schedule of council meetings

Royston Town Council Schedule of Council & Committee meetings 2022-2023													
Council year 2022-2023	2022 May	2022 June	2022 July	2022 Aug	2022 Sept	2022 Oct	2022 Nov	2022 Dec	2023 Jan	2023 Feb	2023 March	2023 April	2023 May
FULL COUNCIL	*16	**20			12		14		***16		20		*15
Committee Meetings													
Finance	*16	27	25		26	31	28		30	27	27	24	*15
Planning	*16	6	4	1	5	3	7	5	9	6	6	3	*15
GP/Highways	*16		18			17		19		20		17	*15
Civic & other events													
Annual Town Meeting											9		
Remembrance Sunday Parade							13						
Holocaust Memorial Day									27				
Annual May Fayre	2												1
Location of meeting	Room 11	Town Hall	Priory Memorial Gardens										
* Annual Council meeting													
** Annual Return approval													
*** Budget and Precept Approval													