

Standing Orders for Winterbourne Parish Council

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1 Introduction

Procedures for parish councils are set out in law, primarily the Local Government Act 1972¹. The purpose of these standing orders is to set out how Winterbourne Parish Council conducts its business in accordance with the law, and to ensure that its business is conducted efficiently, effectively and in line with good professional practice.

These standing orders do not document all legal provisions, which are referenced where applicable².

- 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 Parish Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion.
- c The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

2 Election and co-option of councillors

- a Procedures for ordinary elections and bye-elections are set out in law, and generally fall outside the authority or responsibility of the Parish Council.³
- b If there are insufficient candidates for an election or bye-election such that vacancies remain, the Parish Council may, provided that there are sufficient councillors to constitute a quorum, fill the remaining vacancies by co-option.
- c If a casual vacancy arises, the Proper Officer shall notify Electoral Services at Wiltshire Council (as the local authority) who will arrange for public notification.⁴ If no poll is claimed by electors the Parish Council will proceed to fill the vacancy by co-option.⁵
- d Parish Council procedures for publicising vacancies to be filled by co-option, communication with candidates and voting in council are set out at Annex 11.1.

¹ The Local Government Act 1972, including all subsequent amendments, is available at <https://www.legislation.gov.uk/ukpga/1972/70>

² Applicable law, regulations or statutes are shown as footnotes. WPC policies and procedures are referenced as endnotes at section 12. Additional guidance or procedures that form part of these standing orders are shown as annexes (section 11).

³ See Arnold Baker on Local Council Administration 11th edition chapter 6. See also NALC Legal Topic Note 8 available at <https://www.nalc.gov.uk/library/members-library/legal-topic-notes/all-legal-topic-notes/1399-08-elections-1/file>

⁴ The Local Government Act 1972 s87

⁵ Local Elections (Parishes and Communities) Rules 2006 r5(5) available at <https://www.legislation.gov.uk/uksi/2006/3305/contents/made>

3 Roles and responsibilities

3.1 Chairman

- a The Parish Council shall elect a Chairman annually at its Annual Parish Council Meeting in May of each year. The duties and authority of the Chairman are set out in law¹. Additional information and guidance is set out in Annex 11.2.

3.2 Vice-chairman

- b The Parish Council may appoint a Vice-Chairman annually at its Annual Parish Council Meeting in May of each year, or at any other time in which case the appointment will be until the next Annual Parish Meeting. The Vice-Chairman will fulfil the duties, authority & responsibilities of the Chairman in the event that the Chairman is unable to do so.

3.3 Subcommittees

- c Winterbourne Parish Council does not currently appoint or operate through subcommittees.
- d The Parish Council may establish informal working groups to address specific matters, which shall bring any proposals to the Parish Council for consideration.

3.4 Parish Clerk

- a The Parish Council shall appoint a clerk, who will be the Proper Officer of the Council and as such is under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by law of a local authority's Proper Officer. See also section 7.

3.5 Proper Officer

- a The Clerk is the Proper Officer. In the absence of the Clerk the Chairman will, when necessary, ensure that statutory functions of the Proper Officer are discharged.

3.6 Responsible Financial Officer

- a The Clerk is the Responsible Financial Officer. The functions and duties of the Responsible Financial Officer are set out in detail in the Council's Financial Regulations^{xx}. In the absence of the Clerk the councillor responsible for Governance and Finance (see section 6.2) will, when necessary, ensure that statutory functions of the Responsible Financial Officer are discharged.

4 Conduct

4.1 Councillors Code of Conduct

- a All councillors shall observe the Code of Conduct adopted by the Councilⁱ.

4.2 Disclosed interests

- a All councillors shall disclose any pecuniary or non-pecuniary interests as set out in the Code of Conduct.

4.3 Code of conduct complaints

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Parish Council's code of conduct, the Proper Officer shall, subject to standing order 4.3b, report this to the Council.
- b Where the notification in standing order 4.3(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Parish Council of this fact, and the Chairman shall nominate a Council member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Parish Council has agreed what action, if any, to take in accordance with standing order 4.3(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 Unitary Council that a councillor or non-councillor with voting rights has breached the Parish Council's code of conduct, the Parish Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

4.4 Conduct at meetings of the Parish Council

- 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 4.4(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.

5 Meetings of the Parish Council

5.1 General procedures

Legal requirements for the conduct of parish council meetings are set out in Schedule 12, Part II, of the Local Government Act 1972.

- a The Clerk, in consultation with the Chairman, is responsible for the preparation of the agenda for Council meetings. The procedures, timetable and standard content for the preparation of meeting agenda are at Annex 11.3.

- b Parish councillors are required to attend all meetings of the Parish Council. Councillors unable to attend any meeting shall convey an apology to the clerk, giving their reason for absence which shall be recorded in the minutes. Any member who fails to attend any meeting of the Council throughout six consecutive months without statutory excuse or the approval of the Council ceases automatically to be a member.
- c No business shall be transacted at a meeting of the Parish Council unless at least three qualified members of the Council are present. The Council cannot lawfully decide any matter which is not specified in the published agenda (summons).
- d An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of Wiltshire Council representing the division of the parish.
- e All Parish Council meetings will be held in the Glebe Hall, Winterbourne Earls. In the event that it is necessary to hold a Parish Council meeting elsewhere, the venue must conform to the requirements set out in Schedule 12, Part II, of the Local Government Act 1972.
- f 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.⁶
- g Members of the public attend meetings as observers, unless otherwise provided for in the meeting agenda or permitted by the chairman of the meeting. Public participation, when permitted, may include representations, questions and giving of evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- h The period of time designated for public participation at a meeting shall not exceed 10 minutes unless directed by the chairman of the meeting.
- i A question put by a member of the public 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.
- j A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k Legal provisions for public attendance at Council meetings, including right to record and report on proceedings, are set out in the Public Bodies (Admission to Meetings) Act 1960.
- l The chairman has the authority and discretion to conduct meetings in a manner to suit members and the agenda, subject to:
 - i. All decisions made and actions agreed by the Council shall be clearly recorded in the meeting minutes.
 - ii. Voting need not be by a show of hands when a consensus or agreement is clear, but any councillor can request a formal vote by show of hands on any

⁶ Public Bodies (Admission to Meetings) Act 1960

matter, and the results of such a vote shall be recorded in the minutes. Such a request shall be made before moving on to the next item of business on the agenda.

- iii. Any councillor may propose a formal motion for inclusion in the meeting agenda, as set out at annex 11.4.
- m The following decisions of the Council shall be determined by a vote on a formal motion:
- iv. Election of chairman
 - v. Co-option to fill council vacancies
 - vi. Adoption or amendment to the annual budget
 - vii. Annual precept request
 - viii. Approval of annual accounts
 - ix. Exclusion of the press and public from meetings or parts of meetings
 - x. Decisions relating to staff employment (e.g. appointment, changes to employment terms and termination of employment)
 - xi. Other decisions when explicitly required by these standing orders
- n A resolution shall not be reversed within six months except by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer. When such a motion has been disposed of, no similar motion may be moved for a further six months.
- o Decisions by an officer of the Parish Council shall be reported on at the next meeting of the Parish Council, and recorded in the minutes of that meeting in accordance with the Openness of Local Government Regulations 2014⁷.

5.2 Ordinary meetings

- a In addition to the annual meeting of the Parish Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.

5.3 Annual meeting

- a In an election year, the annual meeting of the Parish 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 The first business conducted at the annual meeting of the Council shall be the election of the Chairman and appointment of the Vice-Chairman (if there is one) of the Council.
- d The Chairman of the Council, unless he has resigned or becomes disqualified, shall

⁷ Openness of Local Government Regulations 2014 Part 3 available at <https://www.legislation.gov.uk/uksi/2014/2095>. See also <https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>

continue in office and preside at the annual meeting until his successor is elected.

- e 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.
- f 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.
- g 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.

5.4 Extraordinary meetings

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b If the Chairman of the Council does not 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.

6 Business of the Parish Council

6.1 Overview of portfolio management

- a Portfolio responsibilities allow a distribution of work among councillors, as well as providing points of contact for defined issues/topics. Portfolio descriptions and their allocation to councillors are at Annex 11.5.
- b A key benefit of these allocated responsibilities is that they ensure that routine business can proceed efficiently and effectively on a continuous basis. To achieve this, each portfolio should have an annual work plan and budget that has been properly agreed by the Parish Council in accordance with Standing Order 5.1.
- c Portfolio lead councillors may take action to implement portfolio work plans subject to:
 - i. expenditure remains within the agreed budget for the year;
 - ii. all costs and contracts for work are in compliance with these Standing Orders and the Council's Financial Regulations; and
 - iii. actions taken are reported to the next meeting of the Parish Council.

6.2 Governance and finance

- a Governance has been defined as “structures and processes that are designed to ensure accountability, transparency, responsiveness, rule of law, stability, equity and inclusiveness, empowerment, and broad-based participation⁸.” It is thus integral to all aspects of the functioning of the Parish Council.
- b The Chairman of the Parish Council will normally be the lead councillor for governance, and will work closely with and support the Clerk who (as Proper Officer and Responsible Financial Officer) has a statutory and contractual duty to ensure the Council operated in compliance with the law and with applicable guidance and standards.
- c Winterbourne Parish Council has adopted the NALC Local Council Award Scheme⁹ as a framework for establishing and maintaining good governance and aims to meet the standards set for the Foundation Award. To achieve this the Council shall, in addition to these Standing Orders, have in place regulations, policies and procedures as set out in (d) to (g) below and at Annex 11.6.
- d The Council shall have in place a Budget and Finance Policy that sets out the principles for proper financial management and accountability, and its policies for setting its annual budget, financial reserves and precept request.
- e The Council shall consider and approve Financial Regulations^{xx} 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 an annual report from the internal auditor;
 - iv. the inspection and copying by councillors, including monthly and annual presentation of accounts to the Council, 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.
 - vi. Financial Regulations shall be reviewed annually for fitness of purpose and compliance with applicable standards.
- f The Council shall have in place and review at least annually a risk management policy in the form of a Risk Registerⁱⁱ that quantifies major risks and identifies actions necessary to mitigate such risks.
- g The Council shall maintain a Register of Community Assets.ⁱⁱⁱ

⁸ <http://www.ibe.unesco.org/en/geqaf/technical-notes/concept-governance>

⁹ See <https://www.nalc.gov.uk/our-work/local-council-award-scheme>

6.3 Publication and media

- a The lead councillor(s) for publication and media will work closely with and support the Clerk who (as Proper Officer) has a statutory and contractual duty to ensure the Council operated in compliance with the law and applicable guidance and standards.
- b In accordance with freedom of information legislation, the Council shall publish information in accordance with its Document Retention and Publication Policy^{iv} and respond to requests for information held by the Council in accordance with its Freedom of Information Policy^v.
- c The Council, having annual income & expenditure greater than £25,000 but less than £200,000 is not subject to the Local Government (Transparency Requirements) (England) Regulations 2015. The Council shall nevertheless publish information as set out in its Document Retention and Publication Policy and as specified in these standing orders and other Council policies.
- d In addition to the statutory requirements for publication, the Parish Council will ensure the publication of information and news of relevance to residents via a parish magazine, noticeboards and its website. Procedures and editorial policy for community publications are set out in the Council's Village Link Publication Plan^{vi}.
- e Any website managed or controlled by the Council shall comply with the Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018¹⁰. See also Government & NALC guidance¹¹.

6.4 Community engagement

- a The Parish is required by law to hold a meeting annually between 1st March and 1st June (inclusive)¹². Unless convened by electors or councillors as permitted in law, the Chairman shall convene an annual parish meeting which shall not be on the same day as a Parish Council meeting.
- b Procedures for public notice, meeting proceedings and minutes of proceedings for parish meetings shall be as set out in the Local Government Act 1972¹².
- c The Parish Council will use all reasonable efforts to ensure that all parish meetings are well publicised and that the proposed business for such meetings is relevant to the parish.
- d The Council recognises its responsibility to respond promptly and effectively to matters raised by residents of the parish. Procedures for response to correspondence from residents are at Annex 11.7.
- e Any councillor or officer who becomes aware, by word-of-mouth, social media or other means, of a matter of concern to residents should encourage the concerned party to communicate directly with the Council, as set out at Annex 11.7a&b.

¹⁰ <https://www.legislation.gov.uk/ukxi/2018/952/made>

¹¹ https://www.gov.uk/guidance/make-your-website-or-app-accessible-and-publish-an-accessibility-statement?utm_source=CampaignPage1& and <https://www.nalc.gov.uk/publications#website-accessibility-and-publishing-guidelines>

¹² Local Government Act 1972 Schedule 12 Part III s14-22

6.5 Maintenance

- a The respective responsibilities for maintenance by the Parish Council, Wiltshire Council and landowners are generally defined by law¹³, and are summarised in the Council's Grounds Maintenance Plan^{vii}.
- b All maintenance and repairs that fall within the responsibility of Wiltshire Council will be reported through the "My Wiltshire" app as soon as known to a councillor or the clerk. All such notifications will be made using the account general-parishcouncil@thewinterbournes.org.uk, so that their progress can be readily monitored.
- c Where the Parish Council has the necessary rights or powers, the Council may elect to undertake maintenance beyond its obligations. Such additional maintenance shall be subject to formal agreement by the Parish Council and implemented in accordance with the Council's Standing Orders and Financial Regulations.
- d The Council will keep a log of all extant maintenance requirements which will form the basis of review and decision by the Council. The format for the log is at Annex 11.8.

6.6 Development planning

- a The Council shall consider and respond to all planning applications within or likely to impact Winterbourne Parish. The Clerk shall take steps to ensure that all applications can be considered at a scheduled council meeting including:
 - i. seeking extensions to the consultation period when desirable (and in particular should the time between publication of relevant documents and the end of the consultation period less be than the statutory 21 days); and
 - ii. checking with Wiltshire Council planning department prior to publication of Parish Council meeting agenda so as to include pending/imminent planning consultations.
- b If a planning application requires consideration before the next ordinary meeting of the Council any parish councillor may request the Clerk to convene an additional extraordinary meeting of the Council. In the absence of a request for an extraordinary meeting, the Clerk will submit a response of "no comment" by the due date.
- c The Parish Council shall base its response on development proposals only on the application as submitted to the proper planning authority. The Council will not otherwise offer a formal opinion or decision on a planning proposal.
- d Procedures and guidance on communication between members/officers of the Council, and planning applicants or their agents are at Annex 11.9.

¹³ See Highways Act 1980, Countryside and Rights of Way Act 2000 *inter alia*

6.7 Community resilience and crime prevention

- a The Parish Council shall maintain and publish a Community Resilience Plan^{viii} in line with government guidance¹⁴.
- b Given its geographical situation the Winterbournes are prone to seasonal flooding from river or ground water. Flood risk is a key consideration in the Community Resilience Plan, and the Council shall appoint a Flood Warden as recommended by the Environment Agency¹⁵.
- c The Parish Council supports participation in community speed watch (CSW). CSW¹⁶ is operated by volunteers who work closely with Community Policing Teams supported by the Special Constabulary Roads Policing Unit. All volunteers are trained by Traffic Management Policing Officers to monitor traffic speed and must comply with their code of practice. The Council's procedures for engagement of volunteers are at section 8 and Annex 11.10.
- d The Council operated CCTV covering the Glebe Hall car park and Glebe Lands. The regulations and procedures for operation of the Council's CCTV in accordance with applicable law are set out in the Council's CCTV Policy Statement^{ix}.
- e The Council expects that residents who experience or witness a crime or antisocial behaviour will report this to the police by phone (999 or 101) or online at <https://www.wiltshire.police.uk/ro/report/>. The Council cannot report on someone else's behalf, nor will the Council take any action which should properly be undertaken by the police or other authority.

6.8 Glebe Hall, Glebe Hall car park & Glebe Lands

- a The Parish Council leases land from Salisbury Diocese (through its Board of Finance). The terms of these leases are set out in the lease and trust deed of 1992 which covers the Glebe Hall and Glebe Hall car park, and the lease of 1994 (renewed in 2017) which covers additional land (referred to herein as Glebe Lands) adjacent to the Glebe Hall and St Michael and all Angels Church.
- b Under the terms of the 1992 lease and trust deed the Glebe Hall is held upon trust (as a charity) for the purposes of a village hall. Winterbourne Parish Council is the custodian trustee of the charity as set out in the Public Trustee Act 1906¹⁷.
- c The Glebe Hall is managed by a committee (the Glebe Hall Management Committee) as set out in the 1992 lease and trust deed. The Parish Council shall nominate a councillor to be its representative on the Management Committee.

¹⁴ See HM Government Community Resilience Development Framework June 2019 available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/828813/20190902-Community_Resilience_Development_Framework_Final.pdf

¹⁵ See A Guide to the Role of Community Flood Wardens available at <https://www.rushcliffe.gov.uk/media/1rushcliffe/media/images/environmentandwaste/emergencyplanning/EnvironmentAgencyguideontheroleofcommunityfloodwardens.pdf>

¹⁶ See <https://www.wiltshire.police.uk/police-forces/wiltshire-police/areas/about-us/about-us/community-speedwatch/>

¹⁷ Available at <https://www.legislation.gov.uk/ukpga/Edw7/6/55/contents>

- d The Parish Council has direct responsibility for the use and maintenance of the Glebe Hall car park, which shall be in accordance with the 1992 lease and trust deed and as set out in its Policy on Use of Glebe Hall Car Park^x.
- e Winterbourne Parish Council is responsible for use of the Glebe Lands, which shall be maintained as open (green) space for the benefit of the parish and in accordance with the 2017 lease agreement as set out in its Policy on Use of Glebe Lands^{xi}.

6.9 Sport & recreation facilities

- a. The Parish Council is committed to developing and maintaining sports and recreation equipment for public use within the parish. All such equipment shall be manufactured and installed to the appropriate standard and maintained in a good condition and in compliance with any other requirements of the Council's insurance policy.
- b. Any sport or recreation equipment installed on land owned or controlled by the Council and which has been installed without consent or does not comply with the provisions of 6.9a above shall be removed and disposed of.
- c. The land referred to at 6.9b comprises the QEII field and its car park^{xii}, Glebe Lands^{xi}, the Glebe Hall car park^x, Down Barn Road allotments^{xiv}.
- d. All sport and recreation equipment shall be inspected monthly, or as otherwise specified by the Council's applicable insurance policy, by a designated councillor (see Annex 11.5). In addition, an inspection and report shall be commissioned from an appropriately qualified party annually.

6.10 Allotments

- a Local councils have a duty to provide allotments where there is a demand from residents. The law governing allotments is set out in statutes passed between 1908 and 1950. A summary and further references are set out in Appendix 2 to Growing in the Community¹⁸.
- b The policy and procedures adopted by the Parish Council in order to manage and develop the allotment gardens at Down Barn Road, Winterbourne Gunner in accordance with legal and other statutory requirements are set out in Winterbourne Parish Council Allotments Policy and Development Strategy^{xiii} & Allotment Rules and Guidance^{xiv}.
- c An Allotment Manager oversees the Down Barn Road allotment site on behalf of the Parish Council. The respective roles and responsibilities for the Allotment Manager, the Parish Council, and the Parish Clerk are set out in Annex C to the Allotment Development Strategy.
- d All new tenancy agreements shall be on the basis of a signed contract that sets out the terms and conditions for use of the allotment garden.

¹⁸ "Growing in the Community" second edition, published by Local Government Association <https://www.local.gov.uk/sites/default/files/documents/growing-community-second--8f5.pdf>. See also Arnold Baker on Local Council Administration 11th edition. LexisNexis 2018. Chapter 29: Allotments for Cultivation and Common Pasture.

- e Renewal notices shall be sent to all tenants on 1 April each year. A renewal notice shall include the amount due, and copy of the terms & conditions and of rules & guidance applicable for the next year. Payment of the rent due will be taken as acceptance by the tenant of the current terms & conditions and rules & guidance.

7 Employment

- a Staff members shall be employed according to the national agreement on pay and conditions of service for local government services¹⁹.
- b All staff members shall sign a contract of employment with the Council that includes *inter alia* salary and pay band, hours of work, job level and pay scale range, and a job description.
- c Council policies that apply to employment and management of staff include Pension Policy^{xv}, Appraisal Policy^{xvi}, Disciplinary Policy^{xvii} and Grievance Policy^{xviii}.
- d A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing orders 7e and 5.1(f).
- e 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. Such persons shall have access to relevant staff records (see Standing Order 10.4a).

8 Volunteers

- a Volunteers working with or on behalf of the Council are covered by the Council's insurance policy provided that they are under the control or supervision of the Council. Procedures to ensure the safety and wellbeing of volunteers, and to manage any risks associated with voluntary activities, are set out at Annex 11.10.

9 Complaints

- a Complaints about Council decisions and procedures, which may include complaints about how the Council has dealt with a respondent's concerns or requests, will be addressed according to the Council's Complaints Policy.^{xix}
- b Complaints between a Council employee and the Council as employer shall be addressed according to Council's Disciplinary and Grievance Policies (see Standing Order 7).
- c Complaints concerning the conduct of individual Councillors are covered at Standing Order 4.3
- d The Parish Council may decline to consider complaints that could be reasonably considered to be vexatious.

¹⁹ The national agreement is set out in the National Joint Council "Green Book" available at <https://www.unison.org.uk/content/uploads/2018/07/NJC-Green-Book-18.pdf>

10 Information management

10.1 General

- a The Parish Council is subject to diverse laws and regulations concerning the collection, retention, use and publication of information, which are addressed in the sections below.
- b As good practice, the Council, its members and officers should ensure that any information or communication that may be important for effective conduct of its business, or for compliance with legal requirements, these standing orders or other policies and procedures of the Council, should be communicated to the Clerk for retention and publication as set out in the applicable policies and procedures.

10.2 Use of information technology and email

- a Email will be the primary means of written communication within the Parish Council, and to and from the Council and councillors. Procedures and guidance for the use of Parish Council email accounts are set out in Annex 11.11.
- b All Parish Council business shall be conducted through Parish Council email addresses using the domain @thewinterbournes.org.uk, to ensure that such communication (where appropriate) becomes a matter of record, and that council business is separate from personal business.
- c The Council will not maintain a social media presence, and will not monitor social media (see also Standing Orders 6.3d,e & 6.4e).

10.3 Document retention and storage

- a The Parish Council has a statutory responsibility to maintain its documents and records, and record management systems, in accordance with regulations. The person with the responsibility for the implementation of the policy is the clerk to the Parish Council.
- b The Parish Council's policy and procedures for document retention, storage & publication are set out in Winterbourne Parish Council Document Retention and Publication Policy^{iv}.
- c The Council will undertake an audit of its records and document archive annually. This will be undertaken by not less than two councillors, who shall jointly provide a report to the Parish Council on the outcome of the audit.

10.4 Data protection

- 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 Document Retention & Publication Policy shall confirm

the period for which information (including personal data) shall be retained or 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.

11 Legal & commercial matters

11.1 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b Subject to standing order 11.1(a) any two councillors may sign, on behalf of the Council, any deed required by law. The Proper Officer shall witness their signatures.

11.2 Contracts

- a Goods and services shall be procured through purchase orders or tender (including competitive tender) as directed by the Parish Council and in accordance with Parish Council Financial Regulations^{xx}.

11.3 Insurance

- a The Council shall purchase insurance to indemnify against public, employer and officer/member liabilities.

12 Annexes to Winterbourne Parish Council Standing Orders

Annexes to these Standing Orders are contained in a separate document.

13 Winterbourne Parish Council policies and procedures

ⁱ Winterbourne Parish Council Code of Conduct available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-code-conduct.php>

ⁱⁱ Winterbourne Parish Council Risk Register available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-risk-management.php>

ⁱⁱⁱ Winterbourne Parish Register of Community Assets available at

^{iv} Winterbourne Parish Council Document Retention and Publication Policy 2021

^v Winterbourne Parish Council Freedom of Information Policy 2022 available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>

^{vi} Winterbourne Parish Council Village Link Publication Plan 2018

^{vii} Winterbourne Parish Council Grounds Maintenance Plan available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-maintenance.php>

^{viii} Winterbourne Parish Council Initial Response Plan for Civil Emergencies Feb 2018 available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-initial-response.php>

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- ^{ix} Winterbourne Parish Council CCTV Policy Statement available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-cctv-policy.php>
- ^x Winterbourne Parish Council Policy on Use of Glebe Hall Car Park available at <http://www.winterbourneparishcouncil.com/facilities/winterbournes-car-parks.php>
- ^{xi} Winterbourne Parish Council Policy on Use of Glebe Lands available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xii} Winterbourne Parish Council Policy on Use of Amenity Car Park available at <http://www.winterbourneparishcouncil.com/facilities/winterbournes-car-parks.php>
- ^{xiii} Winterbourne Parish Council Allotments Policy and Development Strategy 2019 available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xiv} Winterbourne Parish Council Allotment Rules and Guidance 2020/21 available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xv} Winterbourne Parish Council Pension Policy available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xvi} Winterbourne Parish Council Appraisal Policy – Parish Clerk/RFO available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xvii} Winterbourne Parish Council Disciplinary Policy available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xviii} Winterbourne Parish Council Grievance Policy available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xix} Winterbourne Parish Council Complaints Policy available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>
- ^{xx} Winterbourne Parish Council Financial Regulations 2021 available at <http://www.winterbourneparishcouncil.com/governance/winterbournes-policies.php>