

# Frome Town Council Constitution

## Chapter 2 Standing Orders

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Text in bold is required by statute.

## 1. Council Decision Making

- 1.1. Council meetings will follow the Council's procedural rules set out in these Standing Orders and Financial Regulations (chapter 3) when considering any matter.
- 1.2. All decisions of the Council will be made in accordance with the following principles:
- 1.3. Proportionality i.e. the action should proportionate to the desired outcome.
- 1.4. Due consultation and the taking of advice from staff.
- 1.5. Respect for human rights.
- 1.6. Presumption in favour of openness.
- 1.7. Clarity of aims and desired outcomes.
- 1.8. Reflecting the balance of evidence, or legal or financial advice.
- 1.9. The Town Clerk is responsible, under statute, for preparing the Agendas for all meetings of the Town Council, Committees and Subcommittees, and for circulation of them to meet statutory requirements. However, out of courtesy, the Town Clerk may consult with the appropriate Chair during the course of preparation of Agendas.
- 1.10. The Chair works in partnerships with the Town Clerk to make sure that the Council is properly informed for making lawful decisions during meetings.
- 1.11. Matters for inclusion on an Agenda may be considered at the discretion of the appropriate Chair in agreement with the Town Clerk.
- 1.12. The Town Clerk or other appointed officer as delegated by the Town Clerk will be present at all meetings involving Cllrs of the Town Council and will advise on any questions relating to the Standing Orders, Financial Regulations, legal requirements or committee procedures and will supervise the production of formal Minutes of the meeting.
- 1.13. Where, for whatever reason, a staff member is not able to attend a meeting, the meeting is not invalidated. The Chair presides and a Cllr is elected to take the minutes.

## 2. Code of Conduct and dispensations

- 2.1. All Cllrs will always observe the Code of Conduct adopted by the Council at its annual meeting.
- 2.2. No individual Cllr (including the committee Chairs and the Mayor) or informal groups of Cllrs can decide on behalf of the Council.
- 2.3. Unless they have been granted a dispensation, a Cllr or non Cllr with voting rights shall withdraw from a meeting when it is considering a matter in which they have a relevant interest. They may return to the meeting after it has considered the matter in which they had the interest.
- 2.4. Dispensation requests shall be in writing and submitted to the Town Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required. The dispensation shall be recorded in the minutes of the meeting.
- 2.5. Dispensations will be decided upon by the Town Clerk in consultation with the Chair.
- 2.6. Dispensations may be granted if having regard to all relevant circumstances any of the following apply:

1. 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;
  2. granting the dispensation is in the interests of persons living in the Council's area;
  3. it is otherwise appropriate to grant a dispensation.
3. Allegations of breaches of the Code of Conduct
- 3.1. Alleged breaches of the Code of Conduct by a Cllr must be referred to the Monitoring Officer at the District Council
  - 3.2. On receipt of a notification that the District Council is dealing with a complaint that a Cllr has breached the code of conduct, the Town Clerk will report this to Council
  - 3.3. Where that notification relates to a complaint made by the Town Clerk, the Deputy Town Clerk will assume the duties of the Town Clerk in relation to the complaint.
  - 3.4. Where a notification relates to a complaint made by an employee (not being the Town Clerk), the Town Clerk will ensure that the employee in question does not deal with any aspect of the complaint
  - 3.5. The subject matter of notifications will be confidential
4. Formal meetings of the Council, committees and sub-committees (including meetings held virtually)
- 4.1. The Chair and vice Chair(s) of the Council will be the Mayor and deputy Mayor(s) respectively.
  - 4.2. The Proper Officer will be the Town Clerk.
  - 4.3. The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
  - 4.4. When calculating the 3 clear days for notice of a meeting to Cllrs and the public, 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 will not count.
  - 4.5. Cllrs are expected to attend meetings
  - 4.6. An invitation to attend all meetings of the Council, its committees and sub-committees will be sent, together with the agenda, to the MP and Frome's County and District Cllrs
  - 4.7. Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by Council resolution in relation to any specific item of business
  - 4.8. A motion to add to or vary or revoke one or more of the Council's Standing Orders, not mandatory by law, will be proposed by a special written motion bearing the names of at least two Cllrs
  - 4.9. The code of conduct adopted by the Council will apply to Cllrs in respect of the entire meeting
  - 4.10. Meetings will 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.
  - 4.11. Meetings will 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 a meeting will be by a resolution which will give reasons for the public's exclusion

- 4.12. Wherever possible, meeting venues will enable people with disabilities to participate fully in meetings. This also applies to meeting agendas and reports: braille, audio or language translations will be made available on request by contacting reception at the Town Hall.
- 4.13. Unless standing orders say otherwise, members of the public are welcome to make representations and a part of the agenda will be allocated for this purpose. The Chair may agree to allow the public to contribute to debate.
- 4.14. Detailed questions from the public may be answered later at the discretion of the Chair
- 4.15. A summary record of public participation at a meeting will be included in the minutes of the meeting
- 4.16. Photographing, videoing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted but oral reporting during the meeting is not permitted as it would disrupt the meeting
- 4.17. The press will be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present
- 4.18. Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in their absence be done by, to or before the Deputy-Chair (if any)
- 4.19. The Chair, if present, will preside at a meeting of the Council. If the Chair is absent from a meeting, the Deputy-Chair, if present, will preside. If both the Chair and the Deputy-Chair are absent from a meeting, a Cllr as chosen by the Cllrs present at the meeting will preside at the meeting
- 4.20. At a committee or sub-committee meeting the Chair may propose that the Deputy-Chair chairs the meeting.
- 4.21. All questions at a meeting will be decided by a majority of the Cllrs present and voting
- 4.22. In the case of committee and sub-committees, Cllrs have to be members of these bodies to vote.
- 4.23. The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote
- 4.24. Unless Standing Orders provide otherwise, voting on any question will be by a show of hands, with those against or abstaining recorded.
- 4.25. An interest arising from the Code of Conduct, the existence and nature of which is required to be disclosed by a Cllr at a meeting will be recorded in the minutes
- 4.26. No business may be transacted at a meeting unless at least one third of the whole number of Cllrs are present and in no case will the quorum of a meeting be less than three
- 4.27. If a meeting is or becomes inquorate no business will be transacted
- 4.28. The minutes of a meeting will record: the names of Cllrs present at the beginning of the meeting or when they arrive afterwards and/or leave before the end, apologies from Cllrs received by the Town Clerk; resolutions and a summary of discussions (including contributions from the public). Every page will be numbered and signed and dated by the Chair. The minutes, including any amendments to correct their accuracy, will be confirmed by resolution.

## 5. Motions

- 5.1. No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Town Clerk
- 5.2. If the wording or nature of a proposed motion is considered unlawful or improper, the Town Clerk will consult with the Chair of the forthcoming meeting or the Cllrs who have convened the meeting, to consider whether the motion will be included in the agenda.

- 5.3. Having consulted the Chair or Cllrs, the decision of the Town Clerk as to whether to include the motion in the agenda will be final
- 5.4. Every motion rejected in accordance with the Council's standing orders will be duly recorded by the Town Clerk giving reasons for its rejection which will be open to inspection by all Cllrs.
- 5.5. Motions in respect of the following matters may be moved without written notice:
  1. to appoint a person to preside at a meeting
  2. to approve the absences of Cllrs
  3. to correct an inaccuracy in the minutes of the previous meeting
  4. to dispose of business, if any, remaining from the last meeting
  5. to alter the order of business on the agenda
  6. to move to a vote
  7. to proceed to the next business on the agenda
  8. to close or adjourn debate
  9. to refer by formal delegation a matter to a committee or to a sub-committee or an employee
  10. to temporarily suspend the meeting
  11. to appoint a committee or sub-committee to consider a report and/or recommendation made by an employee, professional advisor, expert or consultant
  12. to authorise legal deeds to be signed or sealed using the Council's common seal by the Town Clerk and witnessed by two Cllrs
  13. to amend a motion relevant to the original or substantive motion under consideration which will not have the effect of nullifying it
  14. to defer consideration of a motion
  15. to exclude the press and public for all or part of a meeting
  16. to exclude a Cllr or a member of the public for disorderly conduct
  17. to consider a motion of no confidence in the Chair of the meeting
  18. to consider a motion of no confidence in a Cllr only when that Cllr is present, except when the meeting is a Council meeting
  19. to consider a motion of no confidence in the Leader of the Council only at a meeting of the Council
  20. to suspend any Standing Order except those which are mandatory by law
  21. to adjourn the meeting
  22. to appoint representatives to outside bodies and to plan for those representatives to report back the activities of outside bodies

## 6. Rules of Debate

- 6.1. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair.
- 6.2. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 6.3. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 6.4. 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.

- 6.5. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.
- 6.6. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair.
- 6.7. One or more amendments may be discussed together if the Chair considers this expedient but each amendment shall be voted upon separately.
- 6.8. A point of order will be decided by the Chair and their decision will be final
- 6.9. When a motion is under debate, no other motion shall be moved except:
  1. to amend the motion;
  2. to proceed to the next business;
  3. to adjourn the debate;
  4. to put the motion to a vote;
  5. to ask a person to be no longer heard or to leave the meeting;
  6. to refer a motion to a committee or sub-committee for consideration;
  7. to exclude the public and press;
  8. to adjourn the meeting; or
  9. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.

## 7. Disorderly Conduct

- 7.1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair shall request such person(s) to moderate or improve their conduct
- 7.2. If the person(s) disregard the request of the Chair to moderate or improve their conduct, any Cllr or the Chair may move that the person be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion. If motion is agreed the Chair may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

## 8. Unauthorised Cllr activities

Unless authorised by a resolution, no individual Cllr will, in the name or on behalf of the Council, a committee or a sub-committee, make decisions or issue orders, instructions or directions, unless delegated to do so by Council

## 9. Confidential Business

- 9.1. Cllrs will not disclose information given to them in confidence, or which they believe or ought to be aware, is of a confidential nature
- 9.2. Confidential items can be sent to Cllrs marked “confidential” electronically or on pink paper. Pink paper will be collected by the Town Clerk at the end of the meetings
- 9.3. A Cllr in breach of this Standing Order may be removed from a committee or a sub-committee by a resolution of the Council

## 10. Chairing the Council (role of the Mayor)

- 10.1. The Mayor, who will also be the Chair of the Council, will be elected by the Council annually and will receive regular briefings by the Town Clerk on current issues. While the title confers no additional powers on the Mayor, as Chair they will have the following responsibilities:
1. to uphold and promote the purposes of the Standing Orders and Financial Regulations,
  2. to preside over meetings of the Council so that its business can be carried out efficiently and regarding the rights of Cllrs and the interests of the community;
  3. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Cllrs who do not hold committee Chairs are able to hold the Mayor and committee Chairs to account;
  4. to promote public involvement in the Council's activities;
  5. to be the conscience of the Council; and
  6. to attend such civic and ceremonial functions as the Council and he/she determines appropriate.

## 11. Ordinary Council Meetings

- 11.1. In an election year, the annual meeting of the Council will be held on or within 14 days following the day on which the new Cllrs elected take office
- 11.2. In a year which is not an election year, the annual meeting of a Council will be held on such day in May as the Council decides
- 11.3. If no other time is fixed, the annual meeting of the Council will take place at 6pm
- 11.4. In addition to the annual meeting of the Council, at least three other ordinary meetings will be held in each year on such dates and times as the Council decides
- 11.5. The election of the Mayor and deputy Mayor(s) will be the first business conducted at the annual meeting of the Council
- 11.6. The Mayor, unless they have resigned or become disqualified, will continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council
- 11.7. The deputy Mayor(s), if any, unless they resign or become disqualified, will continue in office until immediately after the election of the Mayor at the next annual meeting of the Council
- 11.8. In an election year, if the current Mayor has not been re-elected as a Cllr, they will preside at the meeting until a successor Mayor has been elected. The current Mayor will not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes
- 11.9. In an election year, if the current Mayor has been re-elected as a Cllr, they will preside at the meeting until a new Mayor has been elected. They may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes
- 11.10. Following the election of the Mayor and deputy Mayor(s) of the Council at the annual meeting of the Council, the order of business will be as follows:
1. In an election year, delivery by Chair and Cllrs of their acceptance of office forms unless the Council resolves for this to be done at a later date. At other annual Council meetings delivery by the Chair of their acceptance of office form unless the Council resolves for this to be done at a later date
  2. Confirmation of the accuracy of the minutes of the last meeting of the Council

3. Resolve whether to approve the Council's Standing Orders (including the remits for the Leader, committees, sub-committees and advisory groups) and Financial Regulations
4. Resolve whether to adopt the Power of General Competence
5. Resolve whether to appoint a Leader (and a Deputy Leader) of the Council, committees, sub-committees and advisory groups
6. Receive nominations for and appoint Cllrs to committees, sub-committees and advisory groups
7. Receive nominations for and appoint Chairs and deputy Chairs of committees, sub-committees and advisory groups
8. Receive nominations for and appoint the post of Leader and Deputy Leader of the Council
9. Receive nominations for and appoint Lead Cllrs for discrete areas of work and projects, if any. In election year this can be postponed to the next Council meeting
10. Set the dates, times and place of ordinary meetings of the Council, committees and sub-committees for the year ahead

## 12. Extraordinary Meetings

- 12.1. The Mayor may convene an extraordinary meeting of the Council at any time.
- 12.2. The Chair of a committee or sub-committee may convene an extraordinary meeting at any time.
- 12.3. If the Mayor or Chair of a committee and sub-committee does not call an extraordinary meeting within seven days of having been requested to do so by two Cllrs, any two Cllrs may convene an extraordinary meeting. The public notice giving the time, venue and agenda for such a meeting must be signed by the two Cllrs
- 12.4. If the Chair of a committee or sub-committee does not call an extraordinary meeting within seven clear days having been requested to do so by two members of that committee or sub-committee, any two members of the committee may convene an extraordinary meeting.

## 13. Matters that must be resolved only by Council

These include:

- 13.1. Agreeing the Strategic Plan, the annual work programme, organisation chart showing staff titles and grade range, and the annual budget
- 13.2. Setting the precept demand
- 13.3. Borrowing money
- 13.4. Approving the end of year Accounts and approving submission of the Annual Return to the External Auditors
- 13.5. Incurring capital or revenue expenditure which is over and above the Council's approved budget
- 13.6. Adopting, amending or revoking Standing Orders, Financial Regulations and all parts of the Council's Constitution except those parts that fall under the remit of the Council Matters Committee
- 13.7. Agreeing the dates of meetings of the Council, Committees and sub-committees
- 13.8. Filling of Cllr vacancies occurring on any outside bodies

- 13.9. Making, amending or revoking bye-laws
- 13.10. Making of Orders under any statutory powers
- 13.11. Important matters of principle or policy which have been referred directly by Committees or the Town Clerk
- 13.12. Prosecution or defense in a court of law
- 13.13. All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Town Clerk
- 13.14. Appointment of the RFO
- 13.15. Annually review the Strategic Plan and the annual work programme
- 13.16. Acquiring land and other significant assets and commissioning services of significant value
- 13.17. The Mayor will manage Council meetings in a way that encourages engagement of the public as well as Cllrs

#### 14. Voting on Appointments

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 will be struck off the list and a fresh vote taken. This process will continue until most votes is given in favour of one person. Any tie will be settled by the Chair's casting vote

#### 15. Committees and sub committees

- 15.1. The Council may appoint and dissolve committees, sub-committees and advisory groups.
- 15.2. Each committee will consist of at least eight Cllrs, proportional to the political strength of the Council. The exception being the Planning Committee which will consist of at least six Cllrs.
- 15.3. Cllrs who are not members of a committee may participate in debate but will not be permitted to vote on business at that meeting
- 15.4. Committees may include non-Cllrs unless that committee regulates and controls the finances of the Council
- 15.5. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- 15.5. Each committee will meet on at least five occasions each year
- 15.6. The Chairs of all committees and the Mayor and the Leader will be members of every committee, with the exception of the Planning Committee
- 15.7. The Chairs of committees will manage meetings in a way that maximises engagement of the public as well as Cllrs, without compromising the decision-making process

#### 16. Terms of Reference of the Council Matters Committee

The committee will:

- 16.1. Incur expenditure where it has an allocated budget provision
- 16.2. Be responsible for financial administration, including savings and investments, monitoring income and expenditure against the budget and making recommendations to Council

accordingly

- 16.3. Be responsible for any projects related to participatory budgeting
  - 16.4. Be responsible for all aspects of risk management and insurance
  - 16.5. Be responsible for all aspects of reviewing Health and Safety policy and monitoring health and safety incidents, such as staff accidents at work or accidents to the public on the Council's estate
  - 16.6. Be responsible for the Frome Town Hall and the Council estate
  - 16.7. Be responsible for the work of the Environment Team in line with the Strategic Plan, including events on the Council estate and at Christmas
  - 16.8. Be responsible for all processes related to communications and marketing and for monitoring implementation of, and reviewing, the Communications Strategy, including the adoption of an Annual Report (if published)
  - 16.9. Be responsible for all ICT planning and delivery (including websites) and matters relating to data protection
  - 16.10. Be responsible for all aspects related to human resources, beyond the remit of the Council and the Town Clerk
  - 16.11. Establish a group, as and when needed, comprising three Cllrs including the Chair to address staff disciplinary issues and disputes beyond the authority of the Town Clerk
  - 16.12. Oversee civic and twinning matters
  - 16.13. Be responsible for reviewing progress against the annual work programme
17. Terms of reference of the Town Matters Committee

The committee will:

- 17.1. Incur expenditure where it has an allocated budget provision
- 17.2. Be responsible for promoting prosperity in the town in line with the Strategic Plan
- 17.3. Be responsible for promoting the regeneration of the town centre in line with the Strategic Plan
- 17.4. Be responsible for promoting the wellbeing and resilience of the community in line with the Strategic Plan
- 17.5. Oversee the Community Grants process, including substantial grants and other initiatives that support third party organisations

18. Terms of reference of the Planning Committee

- 18.1. Undertake all duties of the Council under Town and Country Planning Acts, Orders and Regulations and all matters relating to roads and highways including Road Closure Notices, road signs, traffic management, traffic regulations and bus shelters
- 18.2. Within the context of the Neighbourhood Plan, campaign for the best development and, where possible, identify and work with prospective developers in advance of any planning application
- 18.3. Promote to developers FTC guidance on more environmentally sustainable building
- 18.4. Make recommendations to Council on matters that, in its opinion, are significant.  
Occasionally, responses to urgent significant consultations will need to be ratified by Council
- 18.5. Delegate authority to the Town Clerk, in consultation with the Chair, to respond to minor planning issues on behalf of the Council

- 18.6. Promote to the community the role of the planning authority
- 18.7. Provide straightforward advice to the community and developers on how to make and respond to planning applications

## 19. Panels

- 19.1. The Council may appoint a Panel to utilise skills and experience within the community to inform good decision making. Panels may include any mix of Cllrs and non-Cllrs
- 19.2. Each Panel will include a member of staff to provide advice and administrative support
- 19.3. The remit, timescale and membership will be determined by the Council
- 19.4. Panels make recommendations but cannot decide on matters

## 20. Advisory Groups

- 20.1. Council and committees may establish Advisory Groups comprising only Cllrs
- 20.2. Each Advisory Group will include a member of staff to provide advice and administrative support
- 20.3. The remit, timescale and membership will be determined by Council or the appointing committee
- 20.4. Advisory groups make recommendations but cannot decide on matters

## 21. Lead Cllrs

- 21.1. These roles advise, support, are a critical friend to the member of staff responsible for an area of work or a project and inform other Cllrs of progress.
- 21.2. A lead Cllr provides a strategic overview.
- 21.3. These roles are not decision makers and are appointed by Council.

## 22. The role of the Leader of the Council

Leader of the Council:

- 22.1. Will work with the Town Clerk and Cllrs to develop and propose to Council the strategic direction and policy objectives of the Council
- 22.2. Will not alter the strategic direction of the Council
- 22.3. Will work with the Town Clerk to ensure the strategic direction and operational management of the Council are working effectively
- 22.4. Will work with the Town Clerk to negotiate on behalf of the Council with other local authorities and organisations in order to deliver the strategic direction and policy objectives
- 22.5. Will discuss with the Mayor and relevant Committee Chairs the purpose of any negotiation and report the outcome to Council or the relevant committee
- 22.6. Will discuss with the Town Clerk, on a fortnightly basis, the operational work of the Council and issues within the town.
- 22.7. Will be asked for advice by the Town Clerk when making significant decisions.
- 22.8. Will approve the Town Clerk's leave and time off in lieu.
- 22.9. Will appraise the Town Clerk's performance at least annually and jointly with the Deputy

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Leader. If the Leadership is shared by two Cllrs they shall appraise the Town Clerk's performance

22.10. Will be briefed by the Town Clerk of any upcoming meetings with external organisations

22.11. Will make the Town Clerk aware of any upcoming meetings with external organisations.

### 23. Town Clerk

23.1. The Council will appoint a Town Clerk

23.2. The Deputy Town Clerk will undertake the role of the Town Clerk during the Town Clerk's absence

23.3. Town Clerk will:

1. Implement decisions of the Council via delegated authority
2. Have overall managerial responsibility for service delivery
3. Have overall managerial responsibility for staff recruitment (including the drafting of job descriptions) and management, while alterations to the corporate staff structure will be the Council's responsibility and changes to staff grading will be Council Matters' responsibility
4. Provide objective advice on all matters
5. Liaise with other bodies in order to identify and keep abreast of important issues in the town
6. Act in an emergency without recourse to Council
7. Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a committee
8. Send to all Cllrs the time, date, venue and the agenda of meetings of the Council, a committee or a sub-committee at least three clear days before the meeting, by hand delivery, by post or electronically
9. Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office;
10. Clerk Council and committee meetings
11. Make available for inspection by the public the minutes of meetings
12. Receive and retain copies of byelaws made by other local authorities
13. Receive and retain acceptance of office from Cllrs
14. Retain and make available for inspection by the public a copy of every Cllr's register of interests and any changes to it
15. Comply with and process all requests made under the Freedom of Information Act 2000, Data Protection Act 2018 and General Data Protection Regulations 2016

### 24. Execution and Sealing of Legal Deeds

The Council's common seal will alone be used for sealing a deed required by law. It will be kept in the custody of and applied by the Town Clerk in the presence of two Cllrs who will sign the deed as witnesses.

## 25. Financial Matters

The Council shall consider and approve financial regulations at the Annual Town Council meeting.

## 26. Matters Affecting Council Employees

- 26.1. Council or, as appropriate the Council Matters Committee, will discuss matters affecting a member of staff in confidence
- 26.2. The Council policy regarding staff is contained in the Staff Handbook which is chapter four of the Constitution.

## 27. Management of Information

- 27.1. 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.
- 27.2. 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).
- 27.3. 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
- 27.4. Cllrs, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification
- 27.5. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
- 27.6. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- 27.7. The Council shall have in place policies for responding to and managing a personal data breach
- 27.8. 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
- 27.9. The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available format and kept up to date
- 27.10. The Council shall maintain a written record of its processing activities
- 27.11. 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.
- 27.12. The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.