



Wem Town Council STANDING ORDERS

2023

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In these standing orders the expression Mayor means the Chairman of the Council but any power or duty assigned to the Mayor in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

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- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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	●
Sub-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 unless the meeting is convened at shorter notice**
- 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 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 Mayor of the Council may in his absence be done by, to or before the Deputy-Mayor of the Council (if there is one).**
- p **The Mayor of the Council, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy-Mayor of the Council (if there is one) if present, shall preside. If both the Mayor and the Deputy-Mayor 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. Except in the following circumstances when voting can be by secret ballot

- i. Election of Mayor or Deputy Mayor
- ii. Voting on Honorary Townsman Awards
- iii. Voting on Co-option Applications

In the aforementioned cases the Town Clerk shall act as Returning Officer

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 are absent;
 - 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 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. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - vi. 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;
 - vii. shall determine if the public may participate at a meeting of a committee;
 - viii. 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;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. 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 Deputy-Mayor (if there is one) of the Council.**
- f **The Mayor 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 Deputy-Mayor of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Mayor of the Council has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor 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 Mayor of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Mayor of the Council has been elected. He may exercise an original vote in respect of the election of the new Mayor of the Council and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor of the Council and Deputy-Mayor (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Mayor 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 Mayor 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;
- 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. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xv. Review of the Council's and/or staff subscriptions to other bodies;
- xvi. Review of the Council's complaints procedure;
- xvii. 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*);
- xviii. Review of the Council's policy for dealing with the press/media;
- xix. Review of the Council's employment policies and procedures;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
- xxi. 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 Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Mayor 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 5 days of having been requested to do so by 4 members of the committee [or the sub-committee], any 4 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or a 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 4 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 10 clear days before the meeting. Clear days do not include the day of the notice or the day of 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 7 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.
- 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 or sub-committee 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 a meeting of the Council, or committee or sub-committee for which the dispensation is required 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] OR [at the beginning of the meeting of the Council, or committee or sub-committee 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 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 Mayor of Council of this fact, and the Mayor 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 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 **7** days before the meeting confirming his withdrawal of it;
- iii. **convene a meeting of the Council for the election of a new Mayor 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;
- 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. refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Planning and Highways and Climate Change 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 Council OR Planning, Highways and Climate Change Committee;

- xv. manage access to information about the Council via the publication scheme; and
- xvi. 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 member of the Finance and Corporate Governance Committee 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 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 Council OR the Finance and Corporate Governance 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 Mayor or, if he is not available, the Deputy Mayor of absence occasioned by illness or other reason and that person shall report such absence to the Finance and Corporate Governance Committee at its next meeting.
- c The Mayor and chairman of the Finance and Corporate Governance Committee or in his absence, the Deputy Mayor 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 resolution by the Finance and Corporate Governance Committee.
- 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 Mayor or in his absence, the Deputy Mayor in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Finance and Corporate Governance Committee
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Town Clerk relates to the Mayor or Deputy Mayor, this shall be communicated to another member of the Finance and Corporate Governance Committee , which shall be reported back and progressed by

resolution of the Finance and Corporate Governance Committee.

- 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 Smaller Authorities (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 shall 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), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

24. COMMUNICATING WITH 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 Unitary Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.
- c Shropshire Councillors will be permitted to speak on matters of mutual interest upon invitation of the Mayor

25. RESTRICTIONS ON COUNCILLOR ACTIVITIES

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

26. HONORARY TOWNSMAN

- a. In accordance with the provisions of Standing Order No.6 (j) (xvii) the Council shall at its Annual General Meeting only receive such nominations to the title of "Honorary Townsperson".
- b. Any such nominations shall stand adjourned for consideration at the next ordinary meeting of the Council.
- c. The Council may decide not to make any such appointment in any year but in any event shall not make more than two appointments per year.

27. 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 4 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 councillors as soon as possible.
- d The decision of the Mayor of a meeting as to the application of standing orders at the meeting shall be final.

28. VIRTUAL MEETINGS

The following meetings are currently permitted to meet remotely

- Liaison Groups
- Task and Finish Groups
- Working Parties

Committees, Sub committees and Full Council are not legally permitted to meet remotely.

Should regulations be amended to give Council's the option to conduct meetings remotely the Council will predominantly use Zoom Platform and Councillors will adhere to the Virtual Meeting protocols as adopted 28.5.20.

Wem Town Council

COMPLAINTS PROCEDURE 2023

Wem Town Council define a complaint as an expression of dissatisfaction about the Council's action or lack of action or about the standard of a service, whether the action was taken or the service provided by the Council itself or a person or body acting on behalf of the Council.

Complaints can provide valuable learning points which help to improve service delivery. The Town Council's Complaints Procedure Aims:

- To ensure that customers are treated fairly and assist them in making a complaint by being easy and straightforward to use;
- To ensure complaints will be investigated as quickly and thoroughly as possible, and in a positive, problem-solving manner;
- To ensure that the outcome and resolution of complaints will be used to monitor the Council's performance and improve service delivery;

On the receipt of a complaint in the first instance the Town Clerk or Mayor will make every attempt to contact the complainant to attempt to resolve the complaint less formally. If this is not possible then the following procedure will be followed for those who wish to make a formal complaint.

Complaints against Councillors

All councillors sign to undertake to observe the Code of Conduct adopted by the Town Council. A full copy of the Code of Conduct is available on the Town Council's website at www.wem.gov.uk If after studying the Code of Conduct a complainant feels a Councillor has broken any of the rules in the Code of Conduct, they should refer the complaint directly to

The Monitoring Officer
Shropshire Council
The Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Complaints against the Clerk:

Complaints should be in writing to the Mayor : -

The Mayor
Wem Town Council
Wem Library
High Street
Wem
SY4 5AA

Any other complaints should be in writing to the Town Clerk

Penny O'Hagan – Town Clerk
Wem Town Council
Wem Library
High Street
Wem, SY4 5AA

Receipt of the Complaint

All complaints must be submitted in writing - The Council will not consider anonymous complaints therefore a name and contact address must be included with all correspondence. Complaints should enclose as much information as possible.

Receipt of the complaint will be acknowledged by either a member of Council staff or the Mayor in 7 working days. It is hoped to be able to resolve most non-complex complaints immediately, but for more complex issues an investigation may need to be undertaken.

Complaint Investigation

If it has not been possible to resolve the complaint informally, the Council will discuss the matter at the next full council meeting and if deemed appropriate the Complaints Panel ~~who~~ will be tasked with formally meeting to investigate the complaint in more detail.

If deemed necessary at this stage the complainant may be invited to a meeting with the Complaints Panel to discuss the issues raised. If the complainant is submitting documentation or evidence for the meeting they should provide copies to the Complaints Panel at least 7 clear working days before the meeting. Similarly the Clerk will supply the complainant with copies of any Town Council documents that are requested, provided these are documents available under the Freedom of Information Act 2000 and Data Protection Act.

The complaints panel will present the findings of investigations into complaints to the next Town Council meeting along with any recommendations for any future service improvements identified as a result of the complaint.

Under Public Bodies (Admission to meetings) Act 1960 the Council or Committee may consider whether the circumstances warrant the matter being discussed in the absence of the press and public. In the interests of openness and accountability there must be clear relevant reasons or a request from the Complainant for the matter to be held without the presence of the press or public. The decision of the Council, however, will be made public at the end of the meeting.

Investigations will be dealt with as quickly as possible and under normal circumstances the complainant should receive a written response within 30 working days however in the case of complex complaints if it is not possible to meet this timescale the complainant will be informed.

It should be noted that currently the Local Government Ombudsman has no jurisdiction over Parish and Town Councils.

CODE OF PRACTICE FOR DEALING WITH UNREASONABLE AND PERSISTENT COMPLAINANTS

From time to time the Town Council receives complaints from members of the public. Some complaints are received by telephone or in writing and some by a visit to the Town Clerk's office. In order to deal with complaints efficiently and effectively the Town Council has a Complaints Policy.

In the event that a complainant begins to make frequent contact with the Town Clerk and hinders the normal day to day running of the Town Council, the Council will implement a policy for dealing with frequent or vexatious complainants, since such complaints can be time consuming and could lead to unnecessary additional cost to the Council tax payer.

The Town Council's policy for dealing with unreasonable and persistent complainants will become operative if the complainant is deemed to be unreasonably persistent either by written or oral communication or excessive visits to the Town Clerk's office.

PROCEDURE

A vexatious complainant will be notified that the Council's Policy for dealing with unreasonable and persistent complaints is to be enforced, together with the reason why.

The complainant will then be asked to adopt one or all of the following procedures

- To contact the Town Council in a particular form (for example, letters only);
- That contact with Council Staff may only take place with a Councillor present;
- That telephone calls from the complainant are restricted to specified days and times;.
- That the complainant will be asked to enter into an agreement about future contact with the Town Council

The Council will decide how long it will spend on any one complaint and whether it feels the complaint has been sufficiently dealt with. In all cases where a complainant is deemed to be unreasonable and persistent, the Council will write to the complainant to justify its course of action and explain for how long it will be operative.

The complainant may challenge the Council's decision, although proof that the complaint has not been sufficiently dealt with will be required. However, if deemed to be a fair challenge the Council will conduct a review of the complaint and will reconsider whether the complaint should still be treated as unreasonable and/or vexatious.

This policy was adopted on 31.5.18 and will be reviewed annually. (last reviewed 25.5.23)



WEM TOWN COUNCIL PUBLICATION SCHEME

Publication scheme as required under section 19 (2) of the freedom of information act 2000 revised December 2008 and adopted 1 January 2009. Reviewed May 2018, May 2019, June 2021, May 2022, May 2023.

Wem Town Council

Access to information

Under the Freedom of Information Act the Town Council is obliged to set up a Publication Scheme containing details of the information the Council routinely publishes and which the public is able to access.

A copy of the Publication Scheme is enclosed. The scheme is designed to promote openness and accountability to the people of Wem, whom the Council serves and represents.

Any resident can request access to information by writing to the Town Clerk at Wem Library, High Street, Wem SY4 5AA.

Excluded from the scheme is any general correspondence sent or received by the Council and all information relating to private individuals by virtue of it being personal data under the General Data Protection Regulations 2018

The information is held as paper copy only. Charges for the information will be at the discretion of the Town Clerk but will not be more than £1 per sheet. Further details of the scheme can be obtained from the Town Clerk.

The Council hopes this note is helpful but if you require any further details please do not hesitate to contact the Town Clerk on 01939 232733.

CLASSES OF INFORMATION

1.Council Information	How the information can be obtained
Membership of the Council and Committees	Website Hard copy
Contact details of Clerk and Councillors	Website Hard copy
Location of main office and accessibility details	Website Hard copy
Staffing Structure	Hard copy

2.Financial Information	How the information can be obtained
Annual Return Form and annual statutory report by Auditor	Hard copy
Annual Budget	Website Hard copy
Precept request	Hard copy
Borrowing approval letter(s)	Hard copy
Financial Standing Orders and Regulations	Website

	Hard copy
Grants given and received	Hard copy
List of current contracts	Hard copy
Members' expenses	Hard copy

3.Priorities	How the information can be obtained
Annual Report	Website
Local Charters drawn up in accordance with DCLG guidelines	n/a

4.Decision Making	How the information can be obtained
Timetable of Meetings	Hard copy Website
Agendas	Website Hard copy
Minutes of Council, Committee and Sub Committee meetings –limited to the last two years (excluding any confidential items)	Website Hard copy
Reports presented to meeting (excluding any confidential items)	Website / Hard copy
Responses to planning applications	Shropshire Council Planning Portal
Responses to consultation documents	Hard copy

5.Policies and Procedures	How the information can be obtained
Standing Orders (procedures) for the conduct of council business	Hard copy Website
Terms of reference for Committees and sub committees.	Website Hard copy
Code of conduct	Website Hard copy
Members Declaration of acceptance of office	Hard copy
Health and Safety policy	Hard copy
Equality and diversity policy	Hard copy
Policies and procedures for handling of requests for information	Website Hard copy
Complaints procedure	Website Hard copy
Data Protection policies	Website Hard copy

6.Assets	How the information can be obtained
Assets Register	Hard copy Website
<i>Plan of Allotments (and Standard Tenancy Agreement) Exclusions –individual tenancy agreements and rent payment records under both privacy and data protection laws.</i>	Hard copy

Plan of Burial Ground and General Policies <i>Exclusions –all documentation relating to individual applications and registrations under both privacy and data protection laws.</i>	Hard copy
Members Register of Interests	Shropshire Council website
Register of gifts and hospitality	Hard copy

7. Services	How the information can be obtained
Allotments	Inspection
Burial Ground	Inspection
Recreation Grounds / play areas	Inspection
Street Lighting	Inspection
Seating and bus shelters	inspection
Public Conveniences	Inspection

Charges for the Information

Charges for copies of the information will be at the discretion of the Town Clerk but will not exceed the sum of £1 per sheet. To inspect the information will be free but an appointment must be made.

The information is held by the Council in paper copy only and any requests to access it should be made in writing to

The Town Clerk
Wem Town Council
Wem Library
High Street
Wem
SY4 5AA

For further information or clarification of the information available under the Scheme please contact the Town Clerk either by writing to the above address, by telephone 01939 232733 or by email info@wem.gov.uk.

Wem Town Council List of Documents for Retention and Disposal

Reviewed 30.7.20, 12.10.21, 26.5.22, 25.5.23

Document	Min Retention Period	Reason	Disposal
COUNCIL MANAGEMENT			
Minutes of Council Meetings /committee meetings and working party meetings	Indefinite	Legal record / Archive	Minutes must be kept in safe storage at regular intervals or not more than 10 years they must be deposited with Shropshire Archives.
Draft minutes	Until the date of confirmation of the minutes	operational	Bin / shred confidential items
Agendas Reports and other documents circulated with agendas	12 years	Statute of limitations	Bin / shred confidential items
Council Standing Orders, Policies & Procedures	Whilst the documents remain in force	Management	Bin
Attendance Register	Throughout the 4 year term of office	Management	Shred
Declarations of acceptance of office	Indefinitely	archive	
Register of electors	Until there is no longer an administrative requirement.	Copies already in existence	shred
Members Register of Interests	6 years or until they vacate office. (whichever is the greater)	Audit, Tax, VAT	Shred
FINANCE			
Paid Invoices	6 years	VAT	Shred
Cheques book stubs	Last completed audit year	Audit	Shred
Bank Paying-in Books	Last completed audit year	Audit	Shred

Bank Statements(including deposit/savings / investment accounts)	Last completed audit year	Audit	Shred
Receipt Books	6 years	VAT	bin
Cash Book accounts,	Indefinite	Archive	n/a
Scales of Fees charges	6 years	Management	bin
VAT records	6 years – 20 years for VAT on rents	VAT inspections	Shred
Petty Cash / postage records	6 years	VAT, Tax Statute of Limitations	Shred
Payroll	12 years	Superannuation	Shred
Pension records	Two years after the former employee dies	Recommendation from SLCC	Shred
Quotation and Tenders	6 years	Limitation Act 1980	Shred – a list will be kept of those documents disposed of to meet requirements of GDPR
Title Deeds, leases agreements and contracts	Indefinite	Audit Management	n/a
Investments	Indefinite	Audit, management	n/a
Annual Return including audited accounts	Indefinite	Audit Management	n/a
Precept requests	Indefinitely	Audit, Management	n/a
Insurance Cert of Employers Liability	40 years from date in which insurance commenced or was renewed	Should a claim arise	Bin
Insurance Company names an policy numbers	Indefinite	Management	n/a
Insurance Policies	While Valid	Management	Bin
Insurance Claim Records	7 Years after all obligations are concluded	Employers Liability Act 1969	Shred a list will be kept of those documents disposed

		Employers liability regulations 1998	of to meet the requirements of the GDPR.
Grant applications	6 years	Management	Shred
Timesheets	3 years	Personal injury personal injury best practice	bin
Members allowances	6 years	Tax, Limitation Act 1980	Shred a list will be kept of those documents disposed of to meet the requirements of the GDPR.
Payroll	12 years	Superannuation	Shred a list will be kept of those documents disposed of to meet the requirements of the GDPR.
ALLOTMENTS			
Register and plans	Indefinite	Audit, Management	n/a
Tenancy agreements	Throughout the period of the tenancy and 6 years following	Audit, Management, Statute of Limitations	n/a
Allotment Tenancy Correspondence	Throughout the period of the tenancy	Audit, Management	n/a
BURIAL			
Register of fees collected Register of burials Register of purchased graves Register/ plan of grave spaces Register of memorials Applications for interment Application for right to erect memorials Disposal certificates	Indefinite	Archives, Local Authorities Cemeteries Order 1977 (SI.204)	n/a

Copy of Exclusive right of Burial Certificates			
HEALTH AND SAFETY			
Accident / incident reports	20 years	Potential claims	Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
Premises Inspection Records	12 Years	Statute of Limitations	Bin
Risk Assessments	Once superseded by a new risk assessment or once inactive		Bin
Asset Equipment records	21years	Statute of Limitations	Bin
LEGAL MATTERS, NEGLIGENCE and TORTS			
Negligence	6 years	Statute of Limitations Act 1980 (as amended)	Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
Defamation	1 year		Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
Contract	6 years		Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
Leases	12 years (once lease has expired)		Shred
Sums recoverable by statute	6 years		Shred
Personal injury	3 years		Shred
To recover land	12 years		Shred

Rent	6 years		Shred
Breach of Trust	None		Shred
Trust Deeds	Indefinite		N/A
PERSONNEL RECORDS			
Recruitment Application forms (interviewed - unsuccessful)	1 year after recruitment finalised	Equality Act	Shred
Personnel files (not payroll information)	6 years after ceasing employment	Statute of Limitations	Shred
PLANNING			
Planning Applications	1 year	Management	bin
Planning Appeals	1 year unless development is significant	Management	bin
Trees	1 year	Management	bin
Planning Policy/ Local Development Reviews	Whilst document remains in force	reference	bin
Correspondence relating to planning applications	5 years after development completed	Management	
Local connection Applications and evidence	Until after Town Council has considered applications maximum 3 months	To verify applications for local connection	Shred
CIVIC / MAYORAL ACTIVITIES			
Civic Diaries	Indefinitely	Audit, Tax, VAT, Management, Archive	
Civic Correspondence	6 years	Audit, Tax, VAT, Management	
CCTV			
Review requests	3 years	Data Protection	Shred
Discs	For as long as required	Data protection	Shred
Photographs/ digital prints	31 days	Data protection	Shred
GENERAL			
Routine correspondence, papers & emails	Unless it relates to specific categories outlined in the policy, correspondence, both paper and electronic, should be kept.	Management	Bin (shred confidential items)

	Records should be kept for as long as they are needed for reference or accountability purposes, to comply with regulatory requirements or to protect legal and other rights and interests.		
Correspondence relating to staff	If related to Audit, see relevant sections above. Should be kept securely and personal data in relation to staff should not be kept for longer than is necessary for the purpose it was held. Likely time limits for tribunal claims between 3–6 months Recommend this period be for 3 years	After an employment relationship has ended, a council may need to retain and access staff records for former staff for the purpose of giving references, payment of tax, national insurance contributions and pensions, and in respect of any related legal claims made against the council.	Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
General Information of historic importance	Indefinite -to be securely kept for the town or offered to Shropshire Archives if no longer of use or value	Management	
Press Releases	2 years	Management	Bin
Surveys & returns	Until project completed	Management	Bin, if contains contact details Shred – a list will be kept of those documents disposed of to comply with GDPR regulations
Information. from other bodies e.g circulars, newsletters, magazines etc	Retain as long as useful		Bin
Town Council newsletters/ Annual Reports	Indefinitely -The Legal Deposit Libraries Act 2003 (the 2003 Act) requires a local council which after 1 st February 2004 has published works in print (this includes a pamphlet, magazine or newspaper, a map, plan, chart or table) to	Archive	

	deliver, at its own expense, a copy of them to the British Library Board (which manages and controls the British Library). Printed works as defined by the 2003 Act published by a local council therefore constitute materials which the British Library holds		
Byelaws and orders	Preserve one of each and transfer for records office once they become inactive	Common practice	
Community Car requests	Retain personal data for 1 month following request	Management	Delete – hard copies not held
Store Cupboard / Foodbank support requests	2 years	Management	Delete hard copies not held

At a Meeting of Wem Town Council on the 25.5.23 the aforementioned policy was reviewed.

Wem Town Council

Information & Data Protection Policy

Introduction

In order to conduct its business, services and duties, Wem Town 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.

Wem Town 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 Town 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

Wem Town 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) which became law on 25th May 2018 and will like the the Data Protection Act 1998 before them, seek to strike a balance between the rights of individuals and the sometimes, competing interests of those such as the Town 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 are 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 BTC 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, and 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. Town Council, employer, 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.

Wem 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: info@wem.gov.uk
- Phone: [01939 232733](tel:01939232733)
- Correspondence: The Town Clerk, [Wem Town Council, Wem Library, High Street, Wem, SY4 5AA](#)
- The Town Council has yet to appoint an external Data Protection Officer during this interim period the Town Clerk will be responsible for ensuring compliance with Data Protection legislation and may be contacted at: [Wem Town Council, Wem Library, High Street, Wem SY4 5AA](#)

Diversity Monitoring

Wem Town Council monitors the diversity of its employees, and Councillors, in order to ensure that there is no inappropriate or unlawful discrimination in the way it conducts its activities. It undertakes similar data handling in respect of prospective employees. This data will always be treated as confidential. It will only be accessed by authorised individuals within the Council and will not be disclosed to any other bodies or individuals. Diversity information will never be used as selection criteria and will not be made available to others involved in the recruitment process. Anonymised data derived from diversity monitoring will be used for monitoring purposes and may be published and passed to other bodies.

The Council will always give guidance on personnel data to employees, councillors, partners and volunteers through a Privacy Notice and ensure that individuals on whom personal information is kept are aware of their rights and have easy access to that information on request.

Appropriate technical and organisational measures will be taken against Unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data. Personal data shall not be transferred to a country or territory outside the European Economic Areas unless that country or territory ensures an adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

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 Wem 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 Town 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 Data Protection Act) Article 6 (1) (a) (b) and (e)

Processing is with consent of the data subject, or

Processing is necessary for compliance with a legal obligation.

Processing is necessary for the legitimate interests of the Council.

Information Security

The Town 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

We 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 our Town Clerk or Data Protection Officer:

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: Town Clerk.

Information Deletion: If the individual wishes the Town 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 or Data Protection Officer.

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 Commissioners Office casework@ico.org.uk Tel: 0303 123 1113.

The Council will always give guidance on personnel data to employees through the Employee handbook.

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. It is supplemented with an Information Guide which will give greater detail of what the Council will make available and hopefully make it easier for people to access it.

All formal meetings of Council and its 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. 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, Council or 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 and reasons for the decision are stated. Minutes from all formal meetings, including the confidential parts are public documents.

The Openness of Local Government Bodies Regulations 2014 requires written records to be made of certain decisions taken by officers under delegated powers. These are not routine operational and administrative decisions such as giving instructions to the workforce or paying an invoice approved by Council, but would include urgent action taken after consultation with the Chairman, such as responding to a planning application in advance of Council. In other words, decisions which would have been made by Council or committee had the delegation not been in place.

The 2014 Regulations also 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 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. It will include an appropriate operating procedure in its integrated quality management system.

Data Transparency

The Council has resolved to 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 Code will therefore underpin the Council’s decisions on the release of public data and ensure it is proactive in pursuing higher standards and responding to best practice as it develops.

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.

Government has also issued a further Code of Recommended Practice on Transparency, compliance of which is compulsory for town and parish councils with a turnover (gross income or gross expenditure) not exceeding £25,000 per annum. These councils will be exempt from the requirement to have an external audit from April 2017. Wem Town Council exceeds this turnover but will never the less ensure the following information is published on its Website for ease of access:

- All transactions above £250.
- End of year accounts
- Annual Governance Statements
- Internal Audit Reports
- List of Councillor or Member responsibilities
- Details of public land and building assets
- Draft minutes of Council and committees within one month
- Agendas and associated papers no later than three clear days before the meeting.

Adopted by Council: Wem Town Council 26.4.18

Reviewed 25.4.19, 30.7.20, 12.10.21, 25.5.23

Wem Town Council Press Policy

Adopted 30.7.20, reviewed 12.10.21, 26.5.22, 25.5.23

1 INTRODUCTION

1.1 The purpose of this policy is to define the roles and responsibilities within the Council for working with the media and deals with the day-to-day relationship between the Council and the media.

1.2 It is not the intention of this policy to curb freedom of speech or to enforce strict rules and regulations. Rather, it provides guidance on how to deal with issues that may arise when dealing with the media.

2 KEYS 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. The media – press, radio, TV, internet – are crucially important in conveying information to the community so the Council must maintain positive, constructive media relations and work with them to increase public awareness of the services and facilities provided by the Council and to explain the reasons for particular policies and priorities.

2.2 It is important that the press have access to the Clerk/ Members and to background information to assist them in giving accurate information to the public. To balance this, the Council will defend itself from any unfounded criticism and will ensure that the public are properly informed of all the relevant facts using other channels of communication if necessary.

3 THE LEGAL FRAMEWORK

3.1 The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the governments Code of Recommended Practice on Local Authority Publicity.

3.2 The Town Council's adopted Standing Orders should be adhered to.

4. CONTACT WITH THE MEDIA

4.1 The Clerk and Members should always have due regard for the long-term reputation of the Council in all their dealings with the media.

4.2 Confidential documents, exempt Minutes, reports, papers and private correspondence should not be leaked to the media. If such leaks do occur, an investigation will take place to establish who responsible and appropriate action was taken.

4.3 When the media wish to discuss an issue that is, or is likely to be, subject to legal proceedings then advice should be taken from the Council's solicitor before any response is made. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting.

4.4 There are several personal privacy issues for the Clerk and Members that must be handled carefully and sensitively. These include the release of personal information, such as home address and telephone number (although Member contact details are in the public domain); disciplinary procedures and long-term sickness absences that are affecting service provision. In all these and similar situations, advice must be taken from the Clerk before any response is made to the media.

4.5 When responding to approaches from the media, the Clerk or the Mayor are authorised to contact the media.

4.6 Statements made by the Mayor and the Clerk should reflect the Council's opinion.

4.7 Other Councillors can talk to the media but must ensure that it is clear that the opinions given were their own and not necessarily those of the Council.

4.8 There are occasions when it is appropriate for the Council to submit a letter, for example to explain important policies or to correct factual errors in letters submitted by other correspondents. Such letters should be kept brief and balanced in tone and correspondence should not be drawn out over several weeks. All correspondence must come from the Clerk.

5 ATTENDANCES OF MEDIA AT COUNCIL MEETINGS

5.1 The Local Government Act 1972 requires that agendas, reports and minutes are sent to the media on request.

5.2 The media are encouraged to attend Council meetings and seating and workspace will be made available.

5.3 Any filming or taping of Council proceedings by the media must be with prior notice to the Clerk and Chairman of the meeting (see Standing Orders).

6 PRESS RELEASES

6.1 The purpose of a press release is to make the media aware of a potential story, to provide important public information or to explain the Council's position on a particular issue. It is the responsibility of the Clerk and Members to look for opportunities where the issuing of a press release may be beneficial.

6.2. The Clerk or any Member may draft a press release, however they must all be issued by the Clerk in order to ensure that the principles outlined in section three (Legal Framework) are adhered to, that there is consistency of style across the Council and that the use of the press release can be monitored.

Town Clerk's Scheme of Delegation
Reviewed 30.5.24
2024 updates in red

Introduction

This Scheme of Delegation sets out how the Council delegates some of its powers and duties to Officers of the Council. These delegations are necessary for the effective day to day running of the Council and to prevent every decision having to come to a Council meeting for agreement. This Scheme of Delegation will be reviewed by Council annually alongside the review of Standing Orders and Financial Regulations.

This scheme does not delegate to Officers any matter that is reserved by law to the Council or may not be delegated to an Officer.

Whilst delegation is necessary, it is important that members and the press and public should have the fullest information.

The Town Clerk shall exercise these powers in accordance with:

- Approved budgets
- Council's Standing Orders & Financial Regulations
- Council's Policies
- All statutory common law and contractual requirements

The Scheme places an obligation on Officers to keep Members of the Council properly informed of any action arising under these delegations and to record decisions.

The Town Clerk has delegated powers to undertake the following :

- To undertake all duties of the Proper Officer of the Council ~~and Responsible Financial Officer.~~
- To undertake day to day management of the Council's resources.
- To issue orders to staff and issue warnings to staff.
- To place orders for maintenance requests with companies contracted to provide maintenance services to the Council e.g. Streetlighting, CCTV, Toilets subject to budget code limits.
- To place orders for goods and services below £500 in the administration, staffing and budget codes provided that it is within budget and no single item is above **£500**. All expenditure must be reported to the next full council meeting (financial regulation 4.1).
- To take decisions on the enforcement of Council's rules and regulations.
- To take decisions required under legislation, e.g. Freedom of Information Act, Data Protection Act, Health & Safety Acts, Occupier's Liability Acts, etc., which must be made within a time scale that does not allow for the calling of a meeting.
- To order cheque books, bank statements and other such material on behalf of the council.
- To authorise employee overtime subject to provision in the misc. staffing budget.
- To authorise the transfer of funds between the Council's accounts subject to the limitations as set out in the financial regulations. To authorise the payment of

salaries and wages from the payroll account. To authorise the payment of goods and services.

- To use the corporate credit card for Council purchases subject to single transaction and monthly limits as identified in financial regulations.
- To approve applications for Market Licences and market stalls.
- To approve applications for use of the Town Council's Entertainment Licence.
- The Town Clerk in consultation with the Mayor and Deputy Mayor can appoint litterpickers and engage temporary staff as and when required in line with budget.
- Authorisation to respond immediately to any correspondence, requiring or requesting information or relating to previous decisions of the Council, but not correspondence requiring an opinion to be taken by the Council or its Committees.
- to spend from the market budget up to a maximum single item of £300. All expenditure to be reported to the next Council meeting.
- In consultation with all members and specifically with the Mayor and Deputy Mayor to submit comments or objections on planning and licencing matters in circumstances where such matters are likely to be determined before a meeting of the Committee can be held.

Local Connection Verification (agreed 25.7.19)

- To delegate authority to the Town Clerk in consultation Mayor and Deputy Mayor ~~with the and Verification Committee~~ to determine local connection applications.

Emergency Delegation

- In discussion with the Mayor, Deputy Mayor, ~~immediate past Mayor~~ and **Finance and Corporate Governance Committee Chairman** to incur expenditure on behalf of the Council which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £5,000.
- The Clerk shall report the action to full council or the appropriate committee as soon as practicable thereafter.
- To implement the Council's Emergency and Business Continuity Plans and to incur any necessary expenditure in accordance with the Council's Standing Orders and Financial Regulations.
- To take appropriate actions arising from emergencies (including national emergencies arising for example from the outbreak of a pandemic or civil unrest) in consultation with the Mayor, Deputy Mayor and Chairman of Finance and Corporate Governance Committee as appropriate to the circumstances.