

## STANDING ORDERS FOR THE REGULATION OF POLICE AUTHORITY BUSINESS

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(as at 1<sup>st</sup> March 2005)

## STANDING ORDER 1

### Meetings of the Authority

- (1) The Authority shall hold an annual meeting between the 1st April and the 30th June each year.
- (2) The date, time and place of meetings shall be determined by the Authority but may be varied by the Chairman.
- (3) The Chairman may, after consultation with the Chief Executive, call an extraordinary meeting of the Authority at any time and in any place in the County.
- (4) On a requisition signed by three members of the Authority, the Chairman shall call an extraordinary meeting. If the Chairman refuses or fails to do so within 7 days after presentation of the requisition, the three members may, after consultation with the Chief Executive, call an extraordinary meeting at any time and in any place in the County. A requisition shall state the business which the extraordinary meeting is to consider. No other business shall appear on the agenda for the extraordinary meeting.

## STANDING ORDER 2

### Chairman and Deputy Chairman

- (1) The Authority shall as the first item of business at its annual meeting elect a Chairman who shall, unless he resigns that office, his term of appointment expires or is otherwise disqualified, continue in office until the election of the Chairman at the next annual meeting.
- (2) The Authority shall at its annual meeting also consider the appointment of a Deputy Chairman.
- (3) If the Chairman is absent, the Deputy Chairman (if appointed) shall preside; if the Deputy Chairman is also absent, another member chosen by the members shall preside.
- (4) Any power or duty of the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

## STANDING ORDER 3

### Quorum

- (1) The quorum for meetings of the Authority is five members.
- (2) If, during any meeting of the Authority, the number of members present falls below five the Chairman shall adjourn the meeting to a specified date when the remaining business will be concluded.

STANDING ORDER 4  
Minutes of the Authority

- (1) At a meeting of the Authority at which minutes of a previous meeting are submitted for approval as a correct record, the Chairman shall move that those minutes be so approved.
- (2) No motion or discussion shall take place upon the minutes, except upon their accuracy, and any matter concerning their accuracy shall be raised by amendment.
- (3) If no such matter is raised, or if it is raised then as soon as it has been disposed of, the Chairman shall sign the minutes.

STANDING ORDER 5  
- Questions by Members

- (1) A member may ask a question relating to the business of the Authority and which is not referred to in the summons for the meeting.
- (2) Notification of the question shall be given to the Chief Executive at least three clear days before the meeting at which the member proposes to ask the question subject to paragraph (3) of this Standing Order (urgent business).
- (3) The Chairman of the meeting may allow the asking of a question which has not been submitted as required by paragraph (2) above, if he considers that it relates to urgent business. The text of any such question shall, if possible, be delivered to the Chief Executive not later than 10.00 a.m. on the working day immediately before the meeting at which the question is to be asked.
- (4) Every question shall be put orally and answered without discussion.

STANDING ORDER 6  
Petitions and Questions

- (1) Petitions may be presented to any member of the Authority. Any member shall be at liberty to move a motion that the petition be referred to the next meeting of the Authority or appropriate Committee or to officers for consideration and report and such motion on being seconded shall be immediately put to the vote.
- (2) Any member of the public may ask questions of the Police Authority which are relevant to its business. However, to allow an opportunity to obtain any information sought in order to give a meaningful response written notice should be given to the Chief Executive not less than 14 days before a meeting of the Authority.
- (3) As soon as such questions are received the appropriate officer(s) involved in responding should be given a copy and be requested to prepare an answer.

Every reasonable effort should be made to ensure that questions are answered

fully but concisely.

- (4) Any question(s) shall be included on the agenda for the meeting as the next item of business after the approval of the minutes of the last meeting and must be addressed to the Chairman. The Chairman will then invite the appropriate officer or member of the Authority to respond. Arising from such questions, if members want a report or an issue to be debated then they must use existing procedures to ensure that at the following meeting the item is raised.
- (5) With regard to those questions which involve the disclosure of exempt information, if part of the answer can be given to the public then that should still be done. However, if that is not the case or the answer is clearly inadequate then the questioner must be told that there will be no answer available and why prior to the meeting and the question will not be put on the agenda.
- (6) The person asking the question shall be given the opportunity of attending the meeting to put the question, but if not present the answer as reported to the Authority shall be sent to such persons following the meeting. If in attendance the appropriate officer and/or member shall meet the questioner to discuss any further concerns they may have and to clarify any answer given if necessary.
- (7) The Chairman may use discretion to limit the number of questions asked by members of the public in order to avoid disruption of the business of the Police Authority. In any event the total time allowed for public questions and answers shall not exceed 15 minutes. Any questions which remain unanswered within the timescale shall receive written responses only.

STANDING ORDER 7  
Motions and Amendments

- (1) A motion or amendment shall not be discussed unless it has been proposed and seconded, and it shall, if required by the Chairman, be put into writing and handed to the Chairman before it is further discussed or put to the meeting.
- (2) An amendment shall be relevant to the motion and shall be either:
  - (a) to refer a subject of debate to a Committee or Sub-Committee for consideration or re-consideration;
  - (b) to leave out words;
  - (c) to leave out words and insert others;
  - (d) to insert words;but such omission or insertion of words shall not only have the effect of negating a motion before the Authority.
- (3) If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further

amendment may be moved.

- (4) A proposer of a motion or of an amendment may, with the agreement of the seconder, amend or withdraw the motion or amendment.

#### STANDING ORDER 8

##### Motions Affecting Persons Employed by the Authority and Other Exempt Information

If any question arises where it is considered that exempt information as defined in Schedule 12A of the Local Government Act 1972 is likely to be disclosed, such question shall not be discussed until a motion moved by the Chairman to exclude the public and press under Section 100A of the Local Government Act 1972 has been determined.

#### STANDING ORDER 9

##### Conduct of Business

- (1) A member when speaking shall address the Chairman
- (2) Only one member shall speak at once. The Chairman shall determine which member shall speak and in which order.
- (3) All speeches shall be concise and relevant to the matter in hand.
- (4) A member may raise a point of order and shall be entitled to be heard immediately. A member who raises a point of order shall specify the Standing Order concerned.
- (5) A member may raise a point of personal explanation and shall be entitled to be heard immediately. A personal explanation shall be confined to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate.

#### STANDING ORDER 10

##### Voting

- (1) A proposition shall be determined by a simple majority of those present EXCEPT decisions on the precept where there must not only be a majority of the total membership but also a majority of Councillor Members (Police Act 1996 S.19 refers).
- (2) Every proposition shall, unless otherwise required by these Standing Orders or Statute, be determined by show of hands or, at the discretion of the Chairman, by voices.
- (3) Before any vote is taken, any three members may, by a show of hands, require a recorded vote.
- (4) Any member may require that the minutes record whether they cast their vote for or against the proposition or whether they abstained from voting.

- (5) In the case of an equality of votes, the Chairman shall have a second or casting vote.
- (6) Every candidate nominated to represent the Authority in any capacity or for any position to be filled by the Authority shall be openly proposed and seconded.
- (7) At the close of nominations the Chairman shall state the names of the candidates who have been duly proposed and seconded and the number of vacancies to be filled if the number is limited.
- (8) If the number of nominations does not exceed the number of vacancies or if the number of vacancies is not limited the Chairman shall immediately put the appointment of the duly nominated candidates collectively as a substantive motion upon which no amendment may be moved.
- (9) If the number of nominations exceeds the number of vacancies there shall be a secret ballot of the members present at the meeting in which each member of the Authority may vote for as many candidates as there are vacancies to be filled.
- (10) Any ballot shall be conducted by the Chief Executive, or his/her representative, whose return shall be final and conclusive.
- (11) Provided that no candidate shall be appointed unless the number of votes cast in his/her favour exceeds half the number of persons voting. If in any ballot no candidate receives the number of votes entitling him/her to be appointed, the names of those who receive no votes and the name of the one who receives the least number of votes shall be struck off the list and a fresh ballot be taken, and so on, until all the vacancies are filled.
- (12) Provided also that in the event of there being an equality of votes at any level the Chief Executive, or his/her representative, shall draw the name(s) of the candidate(s) who will proceed to a further ballot or shall be declared elected as the case may be.

STANDING ORDER 11  
Recordings at Meetings

No one may make recordings of any kind other than written notes unless the person presiding at the meeting has given permission. If anyone does so without permission the person presiding at the meeting may forfeit the recording and either require the person to leave and/or adjourn the meeting for as long as seems fit.

STANDING ORDER 12  
Misconduct and Disorder

- (1) If any member persistently disregards the ruling from the Chair, behaves in a disorderly manner or wilfully obstructs the business of the meeting, the Chairman may adjourn or suspend the meeting for so long as seems fit and/or a member may move "That the member named be not further heard" or "that the member named shall leave the meeting", and upon being seconded such motion shall be put and determined without discussion. Even if lost, such a motion may be considered more than once at the same meeting if the misconduct continues or is repeated by the same or another member.
- (2) If a member of the public interrupts the meeting or behaves in a disorderly manner the Chairman shall give a warning. If the warning is disregarded, the Chairman may order that the member of the public be removed and may adjourn or suspend the meeting for so long as seems fit.
- (3) In the case of a general disturbance by members of the public, the Chairman may order that all or part of the room be cleared.

STANDING ORDER 13  
Gifts and Hospitality

In accordance with the Code of Conduct for members approved by the Authority, a member must, within 28 days of receiving any gift or hospitality over the value of **£25**, provide written notice to the Monitoring Officer of the existence and nature of that gift or hospitality.

STANDING ORDER 14  
Member Absence

If any member fails, without prior notification to the Chief Executive and consideration by the Police Authority, throughout a period of three consecutive months to attend any meeting, the circumstances shall be reported to the Authority and he/she shall cease to be a member of the Authority, unless the failure is due to some reason approved by the Authority; and the Authority shall proceed to fill the vacancy.

STANDING ORDER 15  
Personal and Prejudicial Interests

- (1) In accordance with the provisions of Section 52 of the Local Government Act 2000, the Authority has adopted a Code of Conduct which must be observed by all members.
- (2) Each member of the Authority is required to give a written undertaking that he/she will observe the Authority's Code of Conduct for the time being. A new member may not perform his/her functions with the Authority until he/she has given such an undertaking.
- (3) In accordance with the provisions of the Code of Conduct:

- (a) A member with a personal interest in a matter who attends a meeting of the Authority at which the matter is considered must disclose to the meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.
- (b) Where the member's interest in a matter is a prejudicial interest he/she must withdraw from the meeting and must not seek to influence any decisions made.
- (c) A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one, which a member of the public with a knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.
- (d) In accordance with Part 3 of the Code a member must, within 28 days of his/her appointment, register his/her financial and other interests with the Monitoring Officer.
- (e) A member must within 28 days of becoming aware of any changes to the interests notified to the Monitoring Officer, provide written notification to the Monitoring Officer of that change.

STANDING ORDER 16  
Canvassing of and Recommendations by Members

- (1) Canvassing of members of the Authority directly or indirectly for any appointment under the Authority or as a police officer, shall disqualify the candidate concerned for that appointment. The purport of this paragraph of this Standing Order shall be included in any form of application.
- (2) A member of the Authority shall not solicit for any person any appointment under the Authority or as a police officer, but this shall not preclude a member from giving a written testimonial of a candidate's ability, experience or character for submission to the Authority or the Chief Constable with, or in connection with, an application for appointment.

STANDING ORDER 17  
Relatives of Members or Employees

A candidate for any appointment under the Authority who knows that he/she is related to any member or employee of the Authority shall disclose that relationship in his/her application. A candidate who fails to disclose such a relationship shall be liable to be disqualified for the appointment and if appointed shall be liable to dismissal without notice. The purport of this Standing Order shall be included in any form of application.

STANDING ORDER 18  
Record of Attendances

- (1) Every member attending a meeting of the Authority, or of any of its Committees or SubCommittees of which he/she is a member, shall sign his/her name in the attendance book or sheet provided for that purpose.
- (2) Every member attending any meeting, conference, seminar etc. at which they are representing the Authority, shall confirm their attendance to the Chief Executive: and such attendance shall be recorded in a book provided for that purpose.

STANDING ORDER 19  
Custody of Seal

The Common Seal of the Authority shall be kept in a safe place in the custody of the Chief Executive.

STANDING ORDER 20  
Sealing of Documents

- (1) The Common Seal of the Authority shall not be affixed to any document unless the sealing has been authorised by the Authority, but a resolution of the Authority (or of a Committee or Sub-Committee where that Committee or Sub-Committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the issue of any stock, the presentation of any petition, memorial or address, the making of any contract, issuing a precept, or the doing of any other thing, shall be a sufficient authority for sealing any document necessary to give effect to the authorisation. Notwithstanding this, the Chief Executive may authorise the use of the Seal in appropriate circumstances where the documentation is reasonably incidental to decisions and policies of the Authority or where such matters are *de minimus*, subject to these being recorded at the next appropriate meeting of the Authority.
- (2) The Seal shall be affixed to the document and signed by the Chief Executive, or other person duly authorised in writing by him/her, and an entry of every sealing of a document shall be made and consecutively numbered in a book kept for the purpose and shall be signed by the person who has affixed the Seal.

STANDING ORDER 21  
Appointments to Committees

Appointments to Committees and Sub-Committees of the Authority shall, unless vacancies occur, be made at the annual meeting of the Authority.

STANDING ORDER 22

### Meetings of Committees and Sub-Committees

- (1) The Chairman of a Committee or Sub-Committee or the Chairman of the Authority may, after consultation with the Chief Executive, cause a special meeting of the Committee or Sub-Committee to be called at any time.
- (2) A special meeting of a Committee or Sub-Committee shall be called on the request of at least one quarter of the whole number of members of the Committee or Sub-Committee by notice in writing signed by them and given to the Chief Executive and specifying the business for which the meeting is to be called. No other business may be considered.

### STANDING ORDER 23

#### Attendance of Other Members at Committee Meetings

Any member may attend any Committees and Sub-Committees (except those Committees and Sub-Committees which the Authority may from time to time determine for the purposes of this Standing Order) and may speak (but not vote) with the consent of the Chairman of the meeting.

(Note : The Authority has determined the following as exceptions for the purposes of Standing Order :

- (a) the Appeals Committee of the Authority and any Conditions of Service Committee or any other Committee or Sub-Committee established to consider individual cases under any grievance or disciplinary procedures for employees of the Authority or for Police Officers;
- (b) Committees or Sub-Committees established to consider individual cases of salary grading or appointments)

### STANDING ORDER 24

#### Proceedings of Committees and Sub-Committees

- (1) The quorum of every Committee and Sub-Committee, unless a special quorum is otherwise prescribed, shall be at least one quarter of the whole number of the Committee or Sub-Committee, provided that in no case shall a quorum of a Committee or Sub-Committee be less than three members.
- (2) In addition to those Standing Orders which expressly relate to Committees or Sub-Committees, Standing Orders 4, and 6 to 12 inclusive, shall apply with any necessary modification to Committees and Sub-Committees

### STANDING ORDER 25

### Matters of Urgency

The Chief Executive, after consultation with the Chairman of the Authority (or the Deputy Chairman, if appropriate), may deal with matters of urgency within the responsibility of the Police Authority, subject to a report being made to the next following meeting of the appropriate Committee or the Authority.

### STANDING ORDER 26

#### Variation, Revocation and Suspension of Standing Orders

- (1) Any motion to add to, vary or revoke these Standing Orders shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Authority.
- (2) A motion to suspend any of the preceding Standing Orders shall not be moved unless at least nine members of the Authority are present.

### STANDING ORDER 27

#### Interpretation of Standing Orders

The ruling of the Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Authority, shall be final and shall not be challenged at any meeting of the Authority.