

## REPORT TO COUNCIL

**Title:** STANDING ORDERS AND FINANCIAL REGULATIONS  
**Report of:** CLERK  
**Date:** 20 March 2019

### **SUMMARY:**

NALC has made minor changes to its model standing orders to correct minor mistakes and update minor practices. This report summarises the changes to the new document.

### **REPORT:**

#### *Model standing order 17*

A minor mistake was made in respect of model standing order 17(d) (ii) which states:

"to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval"

The correct wording for standing order 17(d)(ii) is:

"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."

#### *Model standing order 21 and 15 (b) (ix)*

Further to the government's decision to exempt local councils from the definition of "public authority" for the purposes of the General Data Protection Regulation the previous reference to "shall appoint a Data Protection Officer" in model standing order 21 (a) has been changed to "may appoint a Data Protection Officer". Model standing order 15 (b) (ix) has also been changed to conform to the new position.

#### *Model standing order 18*

Model standing order 18 (c) has been changed to include the words "unless it proposes to use an existing list of approved suppliers (framework agreement)" and now reads:

**"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 in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement)".**

This change has been made further to requests that we clarify the wording of the standing order. NALC Legal Topic Note 87 contains detailed guidance on advertising on the contracts finder website.

Asides from those above, the remainder of the standing orders remain unchanged. The updated standing orders will be available to view on the website and sent to all members via email.

The Clerk has also reviewed the Financial Regulations and does not propose any updates to them at this time.

### **ACTION:**

Councillors are recommended to approve the new standing orders with immediate effect and to ratify that the financial regulations remain in force with no updates required.