

## **NORTH EAST SURREY CREMATORIUM BOARD**

### **STANDING ORDERS**

[For approval on 11 September 2018]

**1. Annual Meeting**

The Annual Meeting of the Board shall be held at the place and time in June as the board shall from time to time by resolution appoint.

**2. Quarterly Meeting**

A meeting of the Board shall be held at quarterly intervals in each of the months of March, June, September and December at the place and time in each month as the Board shall be resolution from time to time appoint.

**3. Notice of Meetings**

The notice of any meeting of the Board shall specify the business proposed to be transacted at the meeting.

**4. Chairman of the Board or of a Meeting**

In these Standing Orders the expression "Chairman" means the Chairman of the Board, but any power or duty assigned to the Chairman in relation to the conduct of a meeting may be exercised by the person presiding at the meeting.

**5. Order of Business at Annual Meeting**

At the Annual Meeting of the Board the following business shall be transacted in the order named.

- (a) The appointment of Chairman
- (b) The appointment of Vice-Chairman
- (c) Other business (if any) specified in the notice of the meeting.

**6. Order of Business at Other Meetings**

- (a) To choose a member of the Board to preside if both the Chairman and Vice-Chairman be absent.
- (b) To approve as a correct record the minutes of the last ordinary meeting of the Board and of any special meeting held subsequently thereto and to transact any business arising therefrom.
- (c) To deal with business expressly required by statute to be done.

- (d) To dispose of business (if any) remaining from the last meeting.
- (e) To receive and consider reports of Committees.
- (f) To receive and consider reports and recommendations from Officers of the Board.
- (g) To authorise the sealing of documents so far as the Board's authority is required by statute or these Standing Orders.
- (h) To receive and consider tenders.
- (i) Other business (if any) specified in the notice of the meeting.

## **7. Rules of Debate**

The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

## **8. Disorderly Conduct**

If at a meeting any member of the Board, in the opinion of the Chairman notified to the Board, misconduct himself or herself by persistently disregarding the ruling of the Chair or by behaving irregularly, improperly, or offensively, or by wilfully obstructing the business of the Board, it shall be competent for a member to move "That the member named be not further heard" or "That the member named do leave the meeting" and the motion, if seconded, shall be put and determined without discussion.

## **9. Voting on Appointments**

Where there are more than two persons nominated for any position to be filled by the Board and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

## **10. Power to Resolve into Committee**

The Board may resolve itself into a Committee of the whole Board.

## **11. Motions Affecting Persons Employed by the Board**

If any question arises at a meeting of the Board as to the appointment, promotion, dismissal, salary or conditions of service, or as to the conduct of any person employed

by the Board, it shall be considered by the Board in Committee unless the Board otherwise resolve.

## **12. Interest of Members in Contracts and Other Matters**

The Secretary of State for Communities and Local Government, by virtue of section 30(3) of the Localism Act 2011, has prescribed certain disclosable pecuniary interests which the Act requires a Member to declare in their Authority's Register of Interests (as maintained under section 29 of the Act). Failure to declare such interests is a criminal offence under section 34 of the Localism Act.

### Disclosable Pecuniary Interests

A pecuniary interest is a "disclosable pecuniary interest" in relation to a person ('M') if it is of a description specified in regulations made by the Secretary of State and either—

- (a) it is an interest of M's, or
- (b) it is an interest of—
  - (i) M's spouse or civil partner,
  - (ii) a person with whom M is living as husband and wife, or
  - (iii) a person with whom M is living as if they were civil partners, and M is aware that that other person has the interest.

Any member of the board with a disclosable pecuniary interest should withdraw from the room or chamber where a meeting considering the business is being held, whilst that business is considered.

### Other Pecuniary and Non-pecuniary Interests

Members must declare at a meeting, any other pecuniary or non-pecuniary interest in any business of the authorities if the interest is one which other members considering the item of business should be aware of when making their decision.

Where any other pecuniary or non-pecuniary interest is declared in any business that is to be decided at a meeting at which the Member is present, that Member must declare the interest, but can continue to speak and vote on the matter. If the other pecuniary or non-pecuniary interest is one which a member of the public, with 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, then that Member should declare the interest and withdraw from the room or chamber where a meeting considering the business is being held, whilst that business is considered.

## **13. Interest of Officers in Contracts**

Where an Officer of the Board is employed by a constituent authority that Officer shall comply with the Code of Conduct for Employees maintained by that constituent authority when carrying out his duties on behalf of the Board. Where no other Code of Conduct

**APPENDIX A**

applies, the Officer shall comply with the current Code of Conduct for Employees maintained by the London Borough of Sutton.

Without prejudice to the generality of the above, the Clerk of the Board shall record in a book to be kept for that purpose particulars of any private interests or other matters disclosed by an Officer of the Board pursuant to any applicable Code of Conduct for Employees.

**14. Relatives of Members or Officers**

Candidates for any appointment under the Board shall when making application disclose in writing to the Clerk whether to their knowledge they are related to any member of or the holder of any senior office under the Board. A candidate who fails so to do shall be disqualified for such appointment and if appointed shall be liable to dismissal without notice. Every member and senior officer of the Board shall disclose to the Board any relationship known to him to exist between himself and a candidate for an appointment of which he is aware. It shall be the duty of the Clerk to report to the Board or to the appropriate Committee any such disclosure made to him.

Where relationship to a member of the Board is disclosed, the Standing Order headed "Interest of Members in Contracts and Other Matters" shall apply.

The purport of this Standing Order shall be stated either in the advertisement inviting applications for appointment or in any form of application supplied for use by candidates.

**15. Sealing of Documents**

The Common Seal of the Board shall not be affixed to any document unless the sealing has been authorised by a resolution of the Board or of a Committee to which the Board has delegated its powers in this behalf, but a resolution of the Board (or of a Committee where that Committee has the power) authorising the acceptance of any tender, the purchase, sale, letting, or taking of any property, the presentation of any petition, memorial or address, the making of any precept or contract or any other matter or thing, shall be a sufficient authority for sealing any document necessary to give effect to the resolution.

The seal shall be attested (i) by the Chairman or in his absence by the Vice-Chairman of the Board, or in the absence of both, by a member Board and (ii) by the Clerk of the Board or any deputy approved by the Board. An entry of every sealing of a document shall be made and consecutively numbered in a book to be provided for the purpose and shall be signed by one of the persons who shall have attested the Seal.

**16. Signature of Orders for Payment and Cheques**

Officers of the Board shall place orders and make payments, by cheque or internet/telephone banking transfers, only where these are in line with the estimates

approved by the Board. This shall be evidenced by periodic interim accounts statements presented to the Board.

#### **17. Signature of Documents**

Where any document will be a necessary step in legal proceedings on behalf of the Board, it shall, unless any enactment requires or authorises, or the Board shall have given the necessary authority to some other person for the purpose of such proceedings, be signed by the Clerk of the Board.

#### **18. Chairman and Vice-Chairman Ex-Officio Members of Committees**

The Chairman and Vice-Chairman of the Board shall be ex-officio members of every Committee appointed by the Board.

#### **19. Election of Chairmen of Committees**

Every Committee shall, at its first meeting, before proceeding to any other business, appoint a Chairman and, if it so desires, a Vice-Chairman, for the year. In the absence of the Chairman and Vice-Chairman of the Committee from a meeting of that Committee, a Chairman for the meeting shall be appointed.

#### **20. Quorum of Committee**

Except where the quorum of any Committee is expressly stated in the Standing Orders of the Board or where otherwise ordered by the Board, business shall not be transacted at a meeting of any Committee unless at least three members of the Committee are present.

#### **21. Voting at Committee Meetings**

All questions in Committee shall be determined by show of hands by a majority of the Committee present and voting. In the case of any equality of votes, the Chairman or other person presiding at the meeting shall have a second or casting vote.

#### **22. Suspension of Standing Orders**

Any of the preceding Standing Orders may be suspended so far as regards any business at the meeting where its suspension is moved, but shall not be suspended unless there are present at least five members of the Board.

**23. Freedom of Information**

- 23.1. Save where the Board have resolved to exclude members of the public under paragraph 23.3 below all meetings of the Board and its Committees shall be held in public.
- 23.2. The above paragraph 23.1 shall not apply to meetings of the Board's Complaints Panel which shall always take place in private and to which no member of the public (other than the complainant and anyone else associated with the complainant) shall be admitted.
- 23.3. The Board may resolve to exclude members of the public whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be a disclosure to them of exempt information as defined in Section 100 I Local Government Act 1972 (as amended). The Board must exclude the public if it is likely that confidential information described in Section 100A(3) of the 1972 Act might otherwise be disclosed to members of the public.
- 23.4. Save as regards material relating to any exempt item (as previously defined) copies of all agendas, reports and minutes shall be made available for public inspection on request and by appointment at the office of the Clerk.
- 23.5. Requests for information received pursuant to Section 2 Freedom of Information Act 2000 (whether received directly, via a constituent authority or via any other source) shall be referred to an officer of the Board appointed for that purpose.

**24. Contract Standing Orders**

- 24.1 As a public sector body the Board must comply with EU procurement procedures in relation to all works, supply or service contracts above minimum EU thresholds from time to time in force.
- 24.2 In all other respects the Board has adopted the Code of Practice for the Procurement of Works, Supplies and Services of Wandsworth Borough Council, save that a Member of the Board must be present during tender-opening and decisions relating to the acceptance of any tender shall be made by the Board (save insofar as any decision relating to the acceptance or rejection of a tender has been delegated to an Officer of the Board or to any other organisation contracted to manage the Board's operations).

**25. Complaints Panel**

- 25.1 There shall be a Complaints Panel comprising Members of the Board.
- 25.2 The function of the Complaints Panel is to provide a pool of Members, any two (or more) of whom may be called upon to adjudicate in any unresolved complaint

made against the Board or it's Officers or Contractors and (where appropriate) to provide redress to the complainant in accordance with paragraph 25.3 below.

- 25.3 Where a complaint is found to be substantiated the Members adjudicating any complaint have delegated power to issue a written apology on behalf of the Board; grant a refund of charges previously paid; or write off unpaid charges. Where those Members consider such delegated redress to be inadequate having regard to the gravity of a substantiated complaint, they shall make a recommendation to the Board as to the appropriate redress. The final decision on that recommended redress shall then rest with the Board.
- 25.4 The outcome of all complaints adjudicated by Members of the Complaints Panel shall be reported to the next meeting of the Board. Such report shall be given in confidence unless the Board otherwise decides.