

6 APRIL 2018

L04-18 | 2018 MODEL STANDING ORDERS

Introduction

NALC has published new model standing orders. These replace the model standing orders contained in Local Councils Explained (© 2013 NALC).

NALC's new model standing orders incorporate or reference the requirements of new legislation that has been introduced since the last model standing orders were published in 2013.

Due to greater divergence in the legislation in England and Wales, there are now separate model standing orders for parish councils in England and community councils in Wales.

2018 model standing orders - what's new?

The 2018 model standing orders incorporate or reference the requirements of new legislation introduced after 2013. The relevant legislation is listed below.

1. Amendments to the Public Bodies (Admission to Meetings) Act 1960 which provides the right to report at council and committee meetings (England).
2. Amendments to the Local Government Act 1972 which permit electronic service of summons and agendas on councillors (England).
3. Amendments to the Local Government Act 1972 which require advance public notice of a council meeting to be published electronically (Wales).
4. The Smaller Authorities (Transparency Requirements) (England) Regulations 2015 which require councils in England with a gross annual income or expenditure (whichever is higher) that does not exceed £25,000 to publish certain information electronically.
5. The Local Government (Transparency Requirements) (England) Regulations 2015 which requires councils in England with a gross annual income or expenditure (whichever is the higher) that exceeds £200,000 to publish certain information electronically.
6. The Public Contracts Regulations 2015 which introduced requirements for the tendering and award of contracts (i) with an estimated value over £25,000 in England and (ii) with an estimated value which exceeds the

thresholds in the Public Contracts Directive which are currently £4,551,413 for a public works contract and £181,302 for a public service and public supply contract in England and Wales.

7. Utilities Contracts Regulations 2016 which introduced requirements for the tendering and award of a contract for a utility activity with an estimated value which exceeds the relevant financial thresholds, currently £363,424 for a supply, services or design contract, £4,551,413 for a works contract and £820,370 for a social and other specific services contract.
8. Changes to data protection legislation introduced by the General Data Protection Regulation (GDPR) which will come into force on 25 May 2018. The Data Protection Act 1998 is expected to be repealed and replaced by the Data Protection Act 2018 by this date.

2018 model standing orders - what else has changed?

There are a few very minor drafting improvements. In addition, relevant standing orders now encourage corporate responsibilities in relation to the provision and management of information (including personal data).

Aside from model standing orders which incorporate or reference new statutory requirements, the majority of standing orders from 2013 remain unchanged.