



**THE CONVENTION OF SCOTTISH LOCAL AUTHORITIES
(COSLA)**

STANDING ORDERS

2022

COSLA STANDING ORDERS

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PART I – Preliminary

1. The following Standing Orders for meetings shall as far as applicable be the rules and regulations for the proceedings of Convention, Leaders' Meeting, Boards, the Audit Group, Special Interest Groups, Committees or other bodies and therefore reference to the term 'Convention' in the said Standing Orders will include reference to those bodies unless stated otherwise. The term 'President' shall also be deemed to include the Chair of any such body, unless stated otherwise.

PART II – Standing Orders

1. First Meeting of Convention after Elections

- 1.1 The first meeting of Convention after an ordinary election of Councillors shall be held within nine weeks of the date of the election. The Chief Executive of the Association will decide the date, time and venue of this first meeting. The venue may include a meeting held on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 1.2 The outgoing President, whom failing the outgoing Vice-President, shall chair the first meeting of Convention after an ordinary election of Councillors, providing he or she remains an elected Member of a Member Council and has signed the Declaration of Acceptance in terms of section 33A of the Local Government (Scotland) Act 1973. Failing this, the Chief Executive of the Association shall assume the Chair until the President is elected. The meeting shall deal with the election of the President and Vice-President, as more particularly detailed in the Constitution of the Association, and such other business as is specified in the notice calling the first meeting.
- 1.3 Where there is more than one candidate for election to the office of President or to the office of Vice-President, the votes on the appointments shall be taken by secret ballot and by simple majority. If any secret ballot results in the candidates obtaining an equal number of votes, the candidate selected in a cut of cards as having the highest value card (ace high) shall be duly appointed.
- 1.4 Voting in the election for the office of President shall take place and be concluded before voting takes place in the election for the office of Vice-President. Following the conclusion of the election for the office of President and announcement of the result of that election, only those candidates for Vice-President who are not members of the same Political Group or coalition of Political Groups, and who are not of the same gender, as the newly elected President will remain eligible for election to the office of Vice-President.

2. Ordinary Meetings of Convention

- 2.1 Unless otherwise agreed to by Convention, ordinary meetings of Convention shall be held two times per annum commencing at 11am. If there is a large volume of business, or adverse weather conditions are expected, the President has power to change the start time. Where it is deemed necessary, the Chief Executive of the Association, in consultation with the President, may also call for a meeting of Convention to take place on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 2.2 No sound, film, video tape, digital or photographic recording of the proceedings of any meeting shall be made without the prior approval of Convention, other than recording of the proceedings, either for webcasting or as a back-up for a live-webcast or as an alternative where live-webcasting is not possible. All phones should be switched off or on silent. Research through the internet is permitted providing it is done in a manner which respects the authority of the President and does not interfere with the business of the meeting. Such restrictions shall not preclude participation in a meeting which takes place over a remote meeting platform.

3. Special Meetings of Convention

- 3.1 Special meetings of Convention may be convened under the following circumstances: -
- (i) A Special Meeting may be called at any time by decision of Convention;
 - (ii) Urgent Items;
 - (iii) By Requisition.
- 3.2 The President may convene a Special Meeting if it appears to them that there are items of urgent business to be considered. Such meetings will be held at a time, date and venue as determined by the Chief Executive of the Association. An appropriate venue may include a meeting held on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 3.3 If the office of President is vacant, or if the President is unable to act for any reason, the Vice-President of the Association may at any time call such a meeting. If the offices of President and Vice-President are both vacant or if neither the President nor the Vice-President are able to act for any reason, the Chief Executive of the Association may convene such a meeting, following consultation with Political Group Leaders.
- 3.4 A Special Meeting may be called by the President providing they have received a written requisition which specifies the purpose of the business proposed to be transacted at the meeting and is signed by Chief Executives of Member Councils representing at least 25% of the representatives appointed by Member Councils to the Association. The date, time and venue of the meeting will be as determined by the Chief Executive of the Association, who shall make all reasonable endeavours to hold the meeting within 21 days of receipt of the requisition.

4. Notice of Meetings

- 4.1 Notification of meetings shall be given by posting a notice on the Association's website. Notice of meetings shall also be given by the Chief Executive of the Association to all Member Councils, by post, hand delivery or electronic means. Such notice must be given at least five clear working days before the meeting and shall comprise:
- (i) The date, time and venue of the meeting; and
 - (ii) The list of items of business to be transacted. Except in the case of business which is legally required to be transacted at a meeting of Convention or any other business brought before the meeting as a matter of urgency in accordance with these Standing Orders, no business shall be transacted at a meeting of the Convention other than that specified in the notice of meeting.
- 4.2 The validity of any meeting of Convention shall not be affected by the failure of any Member to receive notice of a meeting.

5. President and Vice-President

Duties and Powers of President/Vice-President

- 5.1 At a meeting of Convention, the President or in their absence the Vice-President, whom failing such other Member as the meeting may decide, shall preside, whether in person or through remote access.
- 5.2 Respect will at all times be paid to the authority of the President or the Vice-President, or such other Member presiding, when chairing any meeting of Convention.
- 5.3 It shall be the duty of the President to:
- Preserve order and ensure fairness in debate, and determine the order in which members may speak;
 - To promote consensus and cross-Political Group activity;
 - Decide all matters of order, competency and relevancy;
 - Ensure that Standing Orders are observed;

- Determine any questions of procedure for which no express provision has been made in these Standing Orders;
- Maintain order;
- Adjourn a meeting in the event of disorder arising to a time which the President may then or afterwards fix (the quitting of the Chair by the President shall be the signal that the meeting is adjourned). In the event the President quits the Chair without disorder having arisen, the meeting shall not be adjourned and the Vice-President or in their absence another Member chosen by those Members present shall assume the Chair; and
- Decide whether to have a recess during a meeting.

5.4 The decision of the President on all matters within their powers shall be final and shall not be open to question or discussion.

6. Suspension of Members

6.1 In the event of any Member disregarding the authority of the President or obstructing the meeting or conducting themselves offensively and the President calling the attention to the same, Convention may, on the motion of any Member, duly seconded and supported by the vote of a majority of the Members present and voting, suspend such Member for the remainder of the sitting. No debate will be allowed on such a motion. The Member concerned shall forthwith leave the meeting place or remote meeting platform. The President may be entitled to call for such assistance as they deem necessary to enforce a decision to suspend any such Member taken in terms of these Standing Orders.

7. Appointment and Removal of Members

7.1 Wherever possible, the Chief Executive of the Association will give 10 clear working days' notice of a vacancy to be filled for any Board, Special Interest Group, Audit Group, Spokesperson or other bodies.

7.2 Where a member is appointed or nominated by a Political Group, then where such member is on Family Leave or resigns, any replacement may be nominated by the Political Group notifying the Chief Executive.

8. Quorum

8.1 No business will be transacted at a meeting of Convention unless one quarter of Members are present, provided that from those present at least one quarter of Member Councils are represented. For the avoidance of doubt, the definition of 'present' shall include the participation of Members via a remote meeting platform.

8.2 If at a time ten minutes after the appointed commencement for the meeting a quorum is not present the meeting will stand adjourned. If at any time after a meeting has commenced a quorum of Members is not present the President or in their absence, the Vice-President of Convention shall adjourn the meeting and any business not considered will be postponed to and considered at the next meeting.

8.3 The quorum of Boards, Leaders' Meeting, Special Interest Groups, the Audit Group, Committees and other bodies will be dealt with in the Scheme of Delegation. However, where no specific reference is made to a quorum, it will be one quarter of the membership of the body, subject to a minimum requirement of three Members representing different Member Councils.

8.4 If the President and the Vice-President are absent from a Convention meeting and those present fail to elect another Member to chair that meeting, the meeting will not be convened.

9. Order of Business

9.1 At all meetings of Convention other than the meeting held in accordance with Standing Order 1 above, the order of business shall be:

- (i) The Chair shall be taken in accordance with these Standing Orders;
- (ii) The sederunt shall be taken;
- (iii) Any apologies shall be tendered;
- (iv) Any Declaration of Interest shall be tendered;
- (v) Approval of the accuracy of Minutes of Convention Meetings. There shall be no discussion of the minutes, except upon their accuracy;
- (vi) Business (if any) remaining from the last meeting;
- (vii) Appointments to outside bodies;
- (viii) Any business as per the agenda;
- (ix) Motions; notice of which has been given under 13.1.

9.2 Items 9.1(ix) shall be business for Convention meetings only.

9.3 No item will be removed from the agenda unless with the agreement of the Members present.

9.4 The President at any meetings of the Convention may alter the order of business to facilitate the conduct of the meeting.

Urgent Items

9.5 At all ordinary and special meetings of Convention, no business other than that on the agenda shall be discussed except where by reason of special circumstances which shall be specified in the Minutes, the President is of the opinion that the item should be considered at the meeting as a matter of urgency. The test for urgency is whether the matter could reasonably wait to a subsequent meeting. Any request for urgent business must be intimated to the President no later than two hours prior to the meeting. The President will advise Convention of the terms of the request and advise whether the item is to be considered, and if so, at what stage during the meeting. Motions submitted in terms of Standing Order 13.1 cannot be treated as urgent items.

10. Declarations of Interest

10.1 If any Member of Convention has a financial or non-financial interest in any contract or any other matter as defined by the Code of Conduct for Councillors and is present at any meeting at which the matter is to be considered, they must, as soon as practical, after the meeting starts, disclose that they have an interest and the nature of that interest. The Member must leave the meeting or remote meeting platform (as applicable) for the duration of that item unless the interest is so remote or insignificant that a member of the public, knowing all the relevant facts, would reasonably regard the interest as so insignificant that it would be unlikely to prejudice the Member's discussion or decision making, or to remain would otherwise be permitted under the Code of Conduct for Councillors.

10.2 Where a Member declares an interest and leaves the meeting or remote meeting platform (as applicable) the facts will be recorded in the minutes of the meeting.

10.3 All Members of Convention must observe the Code of Conduct for Councillors and any guidance issued by the Standards Commission for Scotland.

11. Public Access to Meetings

11.1 Every meeting of Convention shall be open to the press and public to the extent that they are not excluded. In determining whether to exclude press and public, regard shall be given to:

- The provisions of Sections 50A (2) and (4) of the Local Government (Scotland) Act 1973;
- The extent to which papers contain material shared in confidence by Member Councils and others, including Scottish or UK Governments;
- Whether a report contains commercially sensitive, contractual, personal or financial information, or information relating to negotiations with trades' unions;
- Whether the report contains legal advice;

- Whether a report may highlight unresolved differences between Member Councils;
 - Whether a report relates to the development and establishment of a negotiating position; or
 - Whether an item of business is intended to develop a policy position and publication would inhibit free and frank debate and development of that policy, and if the item will be published at a later date.
- 11.2 The public and press may also be excluded from a meeting whenever it is likely that, if members of the public or press were present, there would be a real and substantial risk to public health.
- 11.3 If it is intended to exclude public and press in relation to an item of business, the Chief Executive of the Association will so mark the item on the agenda. Convention may then by resolution at any meeting exclude the public and press therefrom during consideration of the item of business.
- 11.4 These provisions shall be without prejudice to the President's powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting as detailed in Standing Order 5.3 hereof.

12. Questions

- 12.1 Except when in debate any Member may ask a question at any meeting of Convention concerning any item of business arising upon the agenda. Such questions must be relevant to the item of business under consideration and must be directed to any senior officer or the Member speaking to a report seeking clarification of the terms of a report or to the mover or seconder of any motion or amendment seeking clarity of their motion or amendment.
- 12.2 Except on a Question of Order or with the agreement of the President it shall not be competent for any Member to ask a question once Convention is in debate.

Questions of Order

- 12.3 A Question of Order shall relate only to an alleged breach of a Standing Order. Any Member indicating a desire to raise a Question of Order shall state at the outset the number or terms of the Standing Order considered to be infringed and the way in which the Member raising it considers that it has been broken. When a Question of Order is raised, the Member then addressing the meeting will stop until the determination of the Question of Order. No Member other than the Member who raised the Question of Order will speak to that question, except with the permission of the President.
- 12.4 The decision of the President on a Question of Order will be final. After a Question of Order is decided, the Member who was addressing the meeting at the time when it was raised will be entitled to proceed with the discussion, giving effect to the President's ruling.

13. Motions

- 13.1 No Member shall be entitled to propose a motion other than one directly arising out of an item of business on the agenda of the meeting unless the Chief Executive of a Member Council or other officer authorised by a Member Council has delivered or e-mailed notice of the terms of the motion to the Chief Executive of the Association no later than 10 clear working days prior to the Convention meeting. The motion shall be accompanied by an explanation of the circumstances which give rise to the motion. It will be competent for any Member of Convention to move a motion of which the requisite notice has been given.
- 13.2 Except as otherwise provided in these Standing Orders, it shall also be competent for any Member who is entitled to vote (other than a casting vote) at a meeting to propose a motion or amendment relating to any item of business on the agenda of a meeting, providing such motion or amendment is relevant to the item under consideration. For Convention and

Leaders' Meeting, notice of any motion or amendment which seeks to change the recommendations of the report which accompanies the relevant item of business must be given to the Chief Executive of the Association no later than one hour before commencement of the meeting. Such notice shall state the name of the mover and seconder. On receipt of any such notice, and prior to commencement of the meeting, the Chief Executive of the Association will advise Members of Convention or Leaders meeting of the terms of the motion or amendment. Such motions or amendments may, with the agreement of the proposer and seconder, be further revised, amalgamated, consolidated or withdrawn prior to and during the meeting.

- 13.3 If notice is given of any motion or amendment that, in the opinion of the Chief Executive of the Association, is illegal or if agreed is likely to give rise to a contravention by Convention of any enactment or rule of law or of any code of practice made or approved by or under any enactment, or is incapable of implementation, the Chief Executive of the Association shall immediately submit such notice of motion or amendment to the President and it shall not be accepted and placed on the agenda without their sanction. In the event of non-acceptance, the Chief Executive of the Association shall so inform the Member who submitted the notice of motion or amendment.

14. Meetings - Procedure Prior to Debate

- 14.1 In relation to items of business on the agenda, the President will seek proposal of a motion. Any such motion must be immediately seconded. Thereafter the President will seek any amendments, which should also be seconded. The proposer and seconder of any motion or amendment may speak to their motion or amendment for up to 5 minutes each when proposing it, otherwise shall be allowed to speak to it during debate.
- 14.2 All motions and amendments must be directly relevant to the item of business under consideration. The President shall have the authority to rule out of order any motion or amendment which they may consider irrelevant, or any amendment which is substantially the same as the motion or another amendment.
- 14.3 A Member who has moved an amendment but failed to find a seconder may if they so request have their dissent to a decision recorded in the minutes. Such a request may also be made by any Member whether or not they have moved a motion or amendment.
- 14.4 A motion or amendment once moved and seconded shall not be altered nor withdrawn without the consent of the mover and seconder. Once in debate the consent of Convention or Leaders, as relevant, will be required to the alteration or withdrawal of any motion or amendment. If the motion is withdrawn, the President will indicate which amendment becomes the motion.
- 14.5 No Member shall move or second more than one motion or amendment upon a particular item although a Member who has moved or seconded a motion or amendment shall not be precluded from moving or seconding a fresh amendment if he or she fails to find a seconder for their motion or if the original motion or amendment is withdrawn.
- 14.6 As detailed in Standing Order 12.1, prior to debate any Member may ask a question at any meeting of Convention concerning any item of business arising upon the agenda. Such questions must be relevant to the item of business under consideration and must be directed to any senior officer or the Member speaking to a report seeking clarification of the terms of a report or to the mover or seconder of any motion or amendment seeking clarity of their motion or amendment. A Member may also ask the mover and seconder of the motion or amendment if they are prepared to amend or alter their motion or amendment to achieve consensus.

15. Meetings - Debate

- 15.1 There shall be no debate unless there is a motion and amendment both of which are seconded.
- 15.2 When the President is satisfied that there are no more motions, amendments or questions to be raised they will state that Convention is in debate.
- 15.3 Once in debate, no other motion or amendment will be moved except in the following circumstances: -
- to suspend a Member in terms of Standing Order 6;
 - to adjourn the debate in terms of Standing Order 5.3 or 16.1; or
 - to close the debate in terms of Standing Order 16.2.
- 15.4 Once in debate, no question will be asked except in the following circumstances:
- a Question of Order in terms of Standing Order 12.3;
 - with the agreement of the President.
- 15.5 The mover of a motion or an amendment will not speak for more than 5 minutes, except with the consent of the President. Each succeeding speaker will not speak for more than 5 minutes. When the Member has spoken for the allotted time, they will be obliged to finish speaking, otherwise the President will direct the Member to cease speaking. For the avoidance of doubt, non-voting Members are entitled to speak in debate.
- 15.6 Every Member who speaks at any meeting of Convention will address the President and direct their speech to the subject matter of the item of business.
- 15.7 Subject to the right of the mover of a motion, and the mover of an amendment, to reply, no Member will speak more than once on the same item of business at any meeting of Convention, except: -
- on a Question of Order;
 - with the permission of the President;
 - and in either of these cases no new matter will be introduced.
- 15.8 Summing-up: - The mover of an amendment and thereafter the mover of the original motion will have a right of reply for a period of not more than 5 minutes. They will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate. Once these movers have replied, the discussion will be held closed and the President will call for the vote to be taken.
- 15.9 Officers present at the meeting, with the exception of the Association's Chief Executive, Legal Officer or Financial Officer, will not be allowed to address Convention once it is in debate, except: -
- where the Officer has been asked a direct question by the President;
 - where a question of legal or financial propriety requires to be addressed or clarified;
 - where the Officer is asked to address an issue for clarification by the President; or
 - where the President decides that the Officer's advice is required.

16. Procedural Motions

- 16.1 Any Member of Convention may, at the conclusion of any speech, move that Convention adjourns and such motion will have precedence over all other motions. Such a motion must be seconded but need not be notified in advance of the meeting. It will be moved and seconded without discussion and will immediately be put to the meeting. When an adjourned meeting is resumed, subject to Standing Order 9 it will commence at the point at which it was broken off at the adjournment.
- 16.2 It will be competent for any Member who has not already spoken in a debate to move the closure of such debate. On such motion being seconded, the mover of the motion and of the

amendment(s) have a right to reply. Thereafter a vote will be taken on whether to close the debate. If a majority of the Members present vote to close the debate, the debate will be closed and a vote will be taken immediately on the item of business which was the subject of the debate.

17. Voting

- 17.1 All business of Convention will be decided by a majority vote of those Members present and voting, except in those circumstances where these Standing Orders specify that a two-thirds majority is required in terms of Standing Order 20.
- 17.2 Neither the President nor the Vice-President is eligible to vote at Convention, except by way of a casting vote as detailed in 17.7. Spokespersons entitled to attend and participate in meetings shall not have the right to vote unless they have been appointed as a representative of a Member Council on Convention.
- 17.3 In relation to Convention meetings only, those attending Convention meetings in person will be issued with voting cards or an equivalent will be put in place. Only those in possession of a card or the equivalent will be entitled to vote. Where the meeting is being held via a remote meeting platform, and unless Convention agrees to use an electronic voting system which transparently displays how individual Members have voted, all voting shall be by roll call vote but not recorded formally in the minute as such unless requested by not less than one third of the Members present.
- 17.4 When a motion and two or more amendments to it are before a meeting and any one of the proposals, in the opinion of the President, implies negation, the vote shall be taken on the proposal involving negation as soon the debate is completed and before the vote, if any, on the remaining amendments is taken. The proposal involving negation shall be put to the meeting in the form of "proceed" or "not proceed". If "not proceed" is carried by majority of votes, the remaining proposals shall drop, but if "proceed" is carried a vote shall be taken between the remaining proposals as hereinafter provided.
- 17.5 Where a motion and one amendment only are before the meeting these will be voted on together, but if there are more amendments than one, the amendment first proposed will be put against the motion. The winner will then be put against the second amendment, and so on.
- 17.6 If a Member wishes their abstention to be recorded in the minutes, they must immediately declare so to the meeting when the vote has been taken.

Casting Vote

- 17.7 In the case of an equality of votes, the President or Vice-President if presiding, or in the absence of the President/Vice-President, such other Member presiding, shall have a second or casting vote except where the matter which is the subject of the vote relates to the election of the President or Vice-President or appointment of a Spokesperson, in which case the candidate selected in a cut of cards as having the highest value card (ace high) shall be declared duly appointed.

Roll Call Votes

- 17.8 Voting shall normally be by a show of hands but if not less than one third of the Members present so request, the name of each Member voting or declining to vote shall be recorded in the minute by the Chief Executive of the Association by calling the roll of the Members. A roll call shall only be taken if the request is made prior to the commencement of the vote. Where the meeting is being held via a remote meeting platform, and unless Convention agrees to use an electronic voting system which transparently displays how individual Members have voted, all voting shall be by roll call vote but not recorded formally in the minute as such unless requested by not less than one third of the Members present.

Voting by Ballot

- 17.9 If Convention so decides, voting shall be by secret ballot, which shall be undertaken by the Chief Executive of the Association to ensure the secrecy of the vote. A decision to proceed by secret ballot shall require a majority of those Members present and voting before the ballot may be undertaken. Where the meeting is being held via a remote meeting platform, unless there is an agreed electronic voting system in use which allows for a secret ballot, voting shall instead be by roll call vote.

18. Voting on Appointment of Members

- 18.1 In the case of an appointment where only one vacancy requires to be filled and there are two candidates, a vote shall be taken between the candidates and the one receiving the most votes shall be declared duly appointed.
- 18.2 In the case of an appointment where only one vacancy requires to be filled and there are more than two candidates, a vote shall be taken between the candidates. If one candidate gets more than half the votes they shall be declared duly appointed. If no candidate gets more than half the votes, the candidate receiving the lowest number of votes shall be excluded and another vote taken between the remaining candidates. If one candidate gets more than half the votes they shall be declared duly appointed, failing which the candidate with the lowest number of votes shall be excluded, another vote taken between the remaining candidates, and so on, until a candidate receives more than half the votes and is declared duly appointed.
- 18.3 In the case of appointments where more than one vacancy requires to be filled and the number of candidates nominated exceeds the number of vacancies, separate votes shall be taken to fill each individual vacancy. Each Member shall be entitled to vote for one candidate for each vacancy. If one candidate gets more than half the votes they shall be declared duly appointed. If no candidate gets more than half the votes, the procedure detailed in 18.2 shall apply.
- 18.4 In the case of an equality of votes, Standing Order 17.7 applies.

19. Disclosure of Information

- 19.1 Information, whether contained in a document, comprising discussions at meetings (including unwritten information) or of some other nature, which pertains to a document or item which has been marked by the Chief Executive of the Association as confidential or exempt from disclosure or where a meeting has made a resolution to this effect, shall not be disclosed to any person by any Member or officer unless or until disclosure has been authorised by the Chief Executive of the Association. For the avoidance of doubt, such authorisation shall not be required for the disclosure of such information to officers or councillors of a Member Council which has received such information from the Association, providing any such councillor or officer receiving such information is in turn required to not further disclose such information. In particular, such information shall never be disclosed outwith a Member Council, except with the consent of the Chief Executive of the Association.
- 19.2 Without prejudice to the foregoing, no Member shall use or disclose to any person any confidential or exempt from disclosure information coming to their knowledge by virtue of their office as a Member where such disclosure would be to the advantage of the Member or of anyone known to them or would be to the disadvantage of the Association, Member Councils or their contractors.

20. Suspension of Standing Orders

- 20.1 Any one or more of the Standing Orders in any case of urgency as determined by the President upon a motion made, may be suspended at any meeting provided that two thirds of the Members of Convention present and voting shall so decide.
- 20.1 Any Member competently moving the suspension of Standing Orders shall be entitled to speak for a period of not more than 5 minutes and shall confine their remarks to the reasons for the proposed suspension. The seconder of any such motion shall not speak other than to formally second the motion (no other Member shall be entitled to speak to the motion or to the amendment).
- 20.2 If an amendment is made against the motion to suspend Standing Orders, the mover of such amendment shall again be entitled to speak for not more than 5 minutes and shall similarly confine their remarks to the reasons against suspension. The seconder of an amendment shall not speak other than to formally second the amendment.

21. Variation and Revocation of Standing Orders

- 21.1 It shall not be competent at any meeting of Convention to revoke or vary any of the Standing Orders except:
- (i) Upon a resolution to that effect at an Ordinary meeting of Convention following a notice given at a previous Ordinary Meeting of Convention; or
 - (ii) Upon the Chief Executive of the Association submitting to any meeting of Convention a report on any new Standing Order or alteration of any existing Standing Order which appears to be required in consequence of any decision regarding the conduct of business which has been taken by Convention or which is otherwise required for good governance.
- 21.2 Any motion to revoke or vary these Standing Orders will, when voted on, be approved by a majority of the Members present and voting.
- 21.3 In the case of a pandemic or other public health emergency where Convention is unable to meet, and in consultation with the President, Vice-President and Political Group Leaders, and if required to enable effective decision making or otherwise in relation to the emergency, the Chief Executive has power to amend these Standing Orders, subject to reporting back to Convention when meetings can recommence.

22 Rescinding/Revocation of Previous Decision/Resolution

- 22.1 Except where required by statute, no decision of Convention may be reconsidered and no item of business reconsidered which is the same or substantially the same as one previously determined by Convention within six months of the date of the making of the previous decision or determination, except where: -
- (i) Two thirds of the Members for the time being present and voting agree to suspend Standing Orders in accordance with Standing Order 21 above; or
 - (ii) In the opinion of the Chief Executive of the Association, not doing so would result in a decision which is likely to give rise to a contravention by Convention of any enactment or rule of law or of any code of practice made by or approved by or under any enactment; or
 - (iii) The original Convention decision cannot be implemented due to reasons outwith the control of Convention; or
 - (iv) Where, as a matter of urgency, having regard to the potential loss of life, risk of substantial economic loss to Convention or any third party (including potential loss or material underutilisation of funds or resources not available at the time of the Decision of Convention), it is deemed by the Chief Executive of the Association that the matter ought to be reconsidered by Convention.

23 Discharge of Functions by Other Bodies and Officers - Scheme of Delegation

- 23.1 Convention may arrange for the discharge of its functions by the Leaders' Meeting, Boards, Audit Group, Special Interest Groups, Leadership Sounding Board, Committees or Sub-Committees, the President, Vice-President, Spokespersons or Officers and will adopt a Scheme of Delegation to (a) detail the constitution of any such bodies (including composition, chair, and quorum); and (b) determine the terms of reference of the bodies or persons and the scope of their powers to exercise functions of Convention.
- 23.2 The Scheme of Delegation will establish a Leaders' Meeting, Boards, Leadership Sounding Board, Audit Group and such other Committees or Sub-Committees as Convention may from time to time determine.
- 23.3 In the event that any Member Council or Political Group does not appoint to any such body the number of Members they are entitled to appoint, Convention may appoint any other Member to fill such a vacancy or vacancies.
- 23.4 The Scheme of Delegation can only be amended in the same manner as Standing Orders, as detailed in Standing Order 22.

24 Proceedings of Other Bodies

- 24.1 The business of other bodies detailed in 23.1 will be conducted in accordance with the provisions of Standing Orders. Such business will proceed primarily on the basis of reports.
- 24.2 The Ordinary Meetings of other bodies detailed in 23.1 will commence at such times as may be determined by the body and will meet according to a timetable determined by Leaders' Meeting from time to time. The Chief Executive of the Association, in consultation with the President and the Chair of a body detailed in 23.1, will have power where the circular calling the meeting has not been issued, to rearrange the date, time and place of a meeting of that body in cases of urgency.
- 24.3 A Chair of a body detailed in 23.1 may at any time give instructions for the calling of a Special Meeting of that body, but the notice will state the special purpose for which it is called. Such meeting will be held at the time, date and venue as determined by the Chief Executive of the Association. An appropriate venue may include a meeting on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 24.4 The exercise of delegated authority by a body detailed in 23.1 is subject to the following:
- (i) The exercise of powers is discretionary, and a body may determine not to exercise its delegated powers.
 - (ii) The consideration of all business of a body which has not been completed before the meeting is brought to an end shall be postponed to the next meeting of the body, whether Ordinary or Special.
 - (iii) Such bodies shall appoint their own Chair or Vice-Chair if Convention has failed to do so. In the absence of the Chair or Vice-Chair the body will be required to elect a member from those present to chair the meeting. The Chair of any Sub-Committee must be a member of the Parent Committee.
 - (iv) In the event that an issue arises which falls within the remit of more than one body, the Chairs of said bodies will determine which body shall deal with the issue.

25 Approval of Minutes

- 25.1 Minutes of Meetings of bodies detailed in 23.1 with delegated powers shall be submitted to the next meeting of that body for approval of their accuracy. Officers may implement any decision made within the delegated powers of such bodies immediately after the meeting.

- 25.2 Minutes of Meetings of bodies detailed in 23.1, which do not have delegated powers, will be submitted to the relevant body as appropriate for approval of any recommendations contained therein and to the next meeting of the body making the recommendation for approval of their accuracy. Following approval of such minutes, Officers will be able to implement any decisions contained within the Minutes.
- 25.3 Where Minutes are submitted for approval of their accuracy, there shall be no discussion of the Minutes, except upon their accuracy.

26 Definitions

- 26.1 In these Standing Orders words and phrases have the same meaning as detailed in the Interpretation section of the Constitution of the Association. In addition, the following words and phrases will have the following meanings respectively ascribed to them: -
- (i) "Association" will mean the Convention of Scottish Local Authorities;
 - (ii) "President" or "Chair" will mean the person appointed to Chair Convention or any other body detailed in 23.1;
 - (iii) "Vice-President" or "Vice-Chair" will mean the person appointed to Chair Convention or any other body detailed in 23.1, in the absence of the President or Chair;
 - (iv) "Clear working days" will unless otherwise specified, mean the whole 24-hour period of a day, Monday to Saturday inclusive, including public holidays;
 - (v) "Present and voting" or "present and vote" shall mean Members casting an affirmative or negative vote. Members who abstain from voting are considered as not voting.
- 26.2 A "Decision of Convention" will be deemed to have been made where any of the following circumstances occur: -
- (i) A motion or amendment in accordance with the provisions of these Standing Orders, has been passed by the necessary majority at Convention or at a body detailed in 23.1.
 - (ii) The exercise by the appropriate officer of any power delegated to them either by a Decision of Convention or in terms of the Scheme of Delegation.
 - (iii) The exercise by the Chief Executive of the Association of the discretion available to them.
 - (iv) Such Decision of Convention will be deemed to include any necessary actions required to give effect to such decision.
 - (v) Where a Decision of Convention is subsequently found to be incapable of implementation because of a defect or a new supervening factor, then subject to the confirmation of the Chief Executive of the Association, the Decision of Convention may be given effect to with the removal of such defective element, or its replacement with a suitable and in all respect compatible element, provided always that the likely outcome of the resultant Decision of Convention is materially the same or sufficiently similar to the original decision. In such circumstances the Chief Executive of the Association will be obliged to report such change to the next appropriate meeting of Convention, and any decision on such report will not require the suspension of Standing Orders.
- 26.3 The Interpretation Act 1978 applies to the interpretation of the Standing Orders as it applies to an Act. Any Act or other legislative provision referred to herein will include reference to any amendment, modification or re-enactment of such provision as may from time to time occur.
- 26.4 In the event of any dispute or difference as to the interpretation of these Standing Orders and the Constitution of the Convention of Scottish Local Authorities, the latter shall prevail. Otherwise, in the event of any dispute or difference as to the interpretation of these Standing Orders and any other document, the Standing Orders will prevail.

Appendix A

Quick Guide to Dealing with Items of Business

1. Spokesperson/Officer speaks to the terms of the report.
2. Questions by Members to Officers about their report.
3. President asks if the recommendations are agreed unanimously. If so, we move to the next item of business.
4. If not, then the President asks if the recommendations are to be moved. If so, then this becomes the motion and is moved and seconded. All Amendments of which due notice has been given are then moved and seconded.
5. Members can ask questions to the mover or seconder of a motion or amendment seeking clarity of the terms of the motion/amendment. This also gives Members the opportunity to ask if a mover of the motion or amendment is prepared to alter this to achieve agreement.
6. When the President is satisfied that there are no more amendments or questions (e.g. once the questions stop and the President receives a negative response to the question “are there any further amendments”) they will state “we are now in debate”.
7. Debate – At debate stage members are allowed up to 5 minutes each to make submissions. No new amendments or questions are allowed once the debate starts.
8. Summing up in reverse order. In other words, last amendment sums up first finishing up with the motion.
9. Voting – The first vote is for the motion against the first amendment. The winner goes against the second amendment and so on.