

# Standing orders

General information and links to resources.

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## Introduction

This guide provides general information for local authority staff about the purpose of Standing Orders and where to find more detailed information about them. It does not duplicate the existing guidance, but points you to it so that you can access the material and groups that will be able to assist you in your governance journey.

Standing orders provide the framework for the conduct of meetings for local authorities. The purpose of standing orders is to enable councils to consider matters and make decisions in an open, trustworthy, and transparent manner, to:

- enable more effective public participation in decision making;
- promote the accountability of elected members and officers; and
- enhance respect for the law and promote good local government.

Standing orders provide a robust and consistent process for decision making, which can reduce the risk of legal challenge to Council decisions. They also create clarity for the role of the Chair and their powers, as well as aiming to provide fair and equitable contribution by all elected members.

Standing orders are informed by various legislation, primarily the Local Government Act 2002 and the Local Government Official Information and Meetings Act 1987 and are designed specifically to aid local authorities to fulfil the legal requirements of these Acts.

Although it is mandatory for councils to adopt standing orders (LGA2002 Sch 7 cl. 27), they persist through the electoral cycle and therefore do not need to be adopted every new term. However, LGNZ recommends that every council and its decision-making bodies review their standing orders within six months of an election. It is recommended practice to undertake this review with elected members actively inputting, with due consideration to how they hope to work together as a team.

All members of a council must abide by standing orders (LGA2002 Sch 7 cl. 16).

In this document you will find links to useful sources of information, resources to help guide you and your colleagues and elected members through getting to grips with standing orders, and places where you can seek advice, support and relevant training/development. Governance and democracy services professionals exist in all councils to provide advice to chairs and elected members. Senior staff that regularly support or attend meetings should also aim to be familiar with their Council's standing orders.

## Relevant legislation

Standing orders ensure that councils fulfil the requirements of relevant legislation when conducting meetings and undertaking decisions. The majority of the framework is directed at meeting the requirements of the following:

*Local Government Act 2002*

*Local Government Official Information and Meetings Act 1987*

## Other legislation referenced

*Commissions of Inquiry Act 1908*

*Contract and Commercial Law Act 2017*

*Crimes Act 1961*

*Financial Markets Conduct Act 2013*

*Local Authorities (Members' Interests) Act 1968*

*Local Electoral Act 2001*

*Local Government Act 1974*

*Marine Farming Act 1971*

*Public Records Act 2005*

*Resource Management Act 1991*

*Sale and Supply of Alcohol Act 2012*

*Secret Commissions Act 1910*

## Sector support

Interpreting and applying standing orders consistently can be challenging, especially for council staff new to the governance and democracy services space or other officers attending, presenting to, or supporting council meetings.

Taituarā provides the [LG Sector Good Toolkit](#) which has best practice resources for the sector. The section on Governance contains this document, and other resources on topics such as LGOIMA, the Privacy Act, members' pecuniary interests and report writing guidance.

The Toolkit is available to all council staff. If you need your Council's username and password please email [info@taituara.org.nz](mailto:info@taituara.org.nz) for access.

There is a wealth of knowledge and experience available to anyone working in this discipline through the Taituarā Discussion Groups, from both local government peers and the knowledgeable staff and advisors at Taituarā. Here is the link to [Discussion groups](#)

Recommended groups to join are:

- COMMITTADVRS (Committee Secretaries/Advisors; Governance Professionals)
- LGOIMA-PRIVACY (LGOIMA and privacy discussions and advice)

Many members of these discussion groups are happy to provide advice and share resources, whether that relates to standing orders or all things governance and democracy services. Examples include these documents that offers guidance to non-democracy services / governance staff on their role in meetings.

Taituarā has also formed committees and reference groups with appointed experts to help influence and support sector activities and contribute to key work programmes.

The Democracy and Participation Reference Group (DPRG) assists the local government sector to achieve high standards in the conduct of democracy services and governance support activity. You can find out more about the DPRG, its activity and its members [here](#).

### Training and events

The sector does not have a wide range of training options on the subject of standing orders and their application, but what is available is long-standing and has proven valuable for many in local government.

#### *Taituarā E-learning series*

This is an excellent introduction and refresher for new and existing employees to gain a solid practical understanding of the legislative environment of local government. The programme comprises six parts with topics such as governance and working together. Here is the link to [e-learning](#)

#### *Taituarā Events*

Taituarā offers a regular calendar of in-person and online events, training and forums on a range of local government topics. For council staff that engage with elected members, or work in the governance and democracy space, events like the annual Governance Professionals Forum are a great opportunity to connect with colleagues from across the sector and stay up to date with best practice and the changing environment.

Other relevant training opportunities include subjects such as preparing advice and writing for local government decisions. Here is the link to [Taituarā Events](#).

### *Private Training Providers*

There are a range of private training providers across the country that provide specialised and targeted training for governance staff and elected members. Some such as Meetings & Governance Solutions have a particular specialism in standing orders for governance staff.

### *LGNZ Ākōna*

LGNZ offers a range of online learning courses aimed primarily at elected members but they are also useful resources for council staff to learn more about aspects of local government such as standing orders.

To find out about Ākōna and other online learning through LGNZ's EHUB, visit: [Link to Ākōna](#)

*Please note, access to these services will require your local authority to subscribe or a registration.*

### **Other resources**

#### *LGNZ (Local Government New Zealand)*

LGNZ is the body that provides the model standing orders template, and this is updated every three years in line with the local authority election cycle. Updates are made to reflect feedback from councils and any changes to relevant legislation.

The standing orders for territorial authorities, regional councils and community boards are available [here](#).

Councils can choose to adopt the standing orders as per the template or seek to make changes / local adaptations as long as they are not inconsistent with corresponding legislation. For example, increasing or decreasing the time for speakers in public forum from the recommended five minutes in the template, or increasing the time for agenda materials to be distributed to elected members to allow more time for pre-reading. Councils can also choose to have a different version of standing orders for their community boards, from that adopted for Council and Committees.

It is also worth noting that there are some aspects of standing orders that require your Council to make a choice. For example, the template provides three options for speaking to and moving motions and your Council will need to choose one when adopting standing orders.

Alongside the new templates, LGNZ also provides a guidance document that covers what changes have been made, and most helpfully a more in-depth consideration of many aspects of standing orders and how they can/may be applied in practice. Here is the link to the [Guidance Document](#).

#### *Office of the Ombudsman | Tari o te Kaitiaki Mana Tangata*

The Ombudsman helps New Zealanders deal with public sector agencies. They handle complaints, undertake investigations and inspections, and encourage good administration. They also provide advice, guidance and training to public sector agencies, and promote awareness of their role to the wider community.

Specific to the provisions in standing orders that relate to the Local Government Official Information and Meetings Act 1987, the Ombudsman provides guidance in its [Guide to Processing Requests and Conducting Meetings](#).

The site also provides useful case notes on matters such as Ombudsman investigation and rulings on meeting conduct, e.g. recordkeeping and decisions to exclude the public from meetings. Some examples are:

- [Local Authority cannot call 'workshop' a meeting for purposes of LGOIMA](#)
- [Inappropriate public exclusion by local authority](#)
- [University Council cannot exclude public from meetings on basis of members needing 'free and frank' discussion](#)
- [Complaint that notice of meeting did not comply with LGOIMA provisions and meeting minutes were not a true and correct record](#)
- [Joint Council Committees decision to exclude public from meeting not justified](#)

#### *Local Government Commission | Mana Kāwanatanga ā Rohe*

Whilst not specific to standing orders, the Local Government Commission | Mana Kāwanatanga ā Rohe published a report in June 2023 assessing development opportunities for both staff and elected members. [Governance education strategy for local government | Te rautaki mātauranga mana whakahaere mā ngā kāwanatanga ārohe](#) was a report to the Minister of Local Government and provided insight and recommendations as well as acknowledging the significant work in governance and democracy services development in house in local authorities.







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Taituarā — Local Government Professionals Aotearoa

Level 9, 85 The Terrace, Wellington  
PO Box 10373, Wellington 6143

T 04 978 1280

E [info@taituara.org.nz](mailto:info@taituara.org.nz)

W [taituara.org.nz](http://taituara.org.nz)