

# **ROLES AND** **RESPONSIBILITIES**

## **THE CLERK**

**The Clerk is normally a paid officer of the Council who is appointed, not elected. A Councillor can act as a Clerk, but cannot be paid. The Clerk is normally the “proper officer” (appropriate officer for the relevant function). In finance the proper officer is the Responsible Financial Officer (RFO) who in some cases is also the Clerk.**

**The Clerk is not answerable to any individual councillor, not even the Chairman. The Clerk is an objective servant of the Council, recognising that the Council is responsible for all decisions, and takes instructions from the Council as a body.**

**The Clerk must be independent and objective, and should not favour one or a group of Councillors.**

**The Clerk provides administrative support and professional advice to the Council based on law or good practice, for all the Council’s activities and implements decisions of Council as required.**

**The Clerk is a contact for the public, press and other tiers of local government on Council issues or to provide information.**

**The Clerks job description should reflect the broad range of activities for which he/she is responsible including: the agenda, minutes, report and letter writing, general administration, press liaison and public communication, allotments, risk assessment, assets, managing staff, and when the RFO, the keeping of the accounts and budgeting.**

## **COUNCILLORS AS INDIVIDUALS**

**A Councillor once elected, must sign a declaration of acceptance of office and the Members Code of Conduct, and Register of Members Interests document (Local Government Act 1972) (Declaration of Acceptance of Office Order 2001)**

**A Councillor's role for the four year term is to suggest ideas for the benefit of the Parish. It is necessary to represent the whole electorate, not just those who voted for them.**

**It is important to represent the Parish in the best possible light and discussion in or out of the Parish Council Meeting should be constructive and reflect the views and needs of the Community. If in doubt on any issue a councillor should contact the clerk for advice.**

**A councillor has a duty to declare a personal or prejudicial interest. At all times a councillor should behave in an ethical way.**

**An individual councillor should abide by the major decisions of council even if they do not concur with his personal view.**

**It is important to attend meetings regularly, comment on proposals and help the council to make decisions on behalf of the community. Preparation for meetings by studying the agenda and researching items for discussion is also important.**

## **THE CHAIRMAN**

**In law the Council must appoint a chairman (Local Government Act 1972 S14). The chairman holds a position of authority and is responsible for ensuring that effective and lawful decisions are made by the council and signs the minutes relating to Council decisions.**

**Many councils whilst appointing a chairman annually appoint the same councillor year on year, some change every year.**

**The chairman should have a close working relationship with the clerk to ensure that the council is properly informed and advised in making decisions. The chairman should be consulted on the agenda content, although as legal signatory the clerk has the final say.**

**At meetings the chairman should ensure all councillors have an opportunity if they wish to contribute in decision-making, keeping debate relevant, summarising the debate as appropriate and ensuring clear decisions are made without unreasonably lengthy deliberations.**

**The chairman has the casting vote in any situation involving a tied vote. The first vote is a personal vote as an ordinary councillor. The second vote is the chairman as chairman.**

**The chairman is the public face of the Council and it is not uncommon for an allowance to be given to enable him/her to represent the council at civic and other duties.**

**By law the chairman cannot make a formal decision on behalf of a Council.**

## **THE COUNCIL AS A CORPORATE BODY**

**Any council decisions are the responsibility of the council as a whole.**

**The council is responsible for the services it provides. It establishes policies for action and decides how money will be raised and spent on behalf of the community. It is responsible for spending money lawfully and without risk, and for achieving best value for money.**

**The council represents and services the whole community equally, and in its duty to serve them all, must balance the different interests of the smaller communities within the area in making decisions.**

**The parish council is the tier of local government closest to the people and should establish close links with District and County Councils (Unitary Councils in some areas) to avoid “double taxation”.**

**Parish Councils were created by statute in 1894 and have the power to raise money through taxation (precept) and a range of powers to spend public money. The individual councillors from the council have responsibility for regulating the statutory range of services provided, suggesting ideas, engaging in constructive debate, responding to the needs and views of the community and behaving in an open and fair way to enable the council to function satisfactorily for the benefit of the community.**