

Working with parishes - an introduction to the role of Parish Clerks and Parish Councillors.

The role of a Town or Parish Clerk.

The Clerk to a Town or Parish Council is the Proper Officer of the Council, a paid employee with a contract and as such is under a statutory duty to carry out all the functions of a Council's Proper Officer, and in particular to serve or issue all the notifications required by law.

The Clerk is more often than not, also the Responsible Financial Officer for their Council and accountable for all financial records of the Council and the proper administration of its finances. In the case of smaller Parish Council's, the Clerk is possibly the only employee. You will also find that many of the smaller Parish Council's employ a Clerk that is part-time, with some Clerk's employed under on a contract of very limited hours, some only working 8 hours per week. So, you will appreciate they are often extremely busy people.

In larger, Town or Parish Councillors there may be other administration officers and staff to support the Clerk and Council to carry out its services.

The Localism Act 2011, defines what powers a Town or Parish Council has, and the General Power of Competence is a 'power of first resort' which allows a council 'to do anything that individuals of full age can legally do' provided that they act within the law and within the general principle of reasonableness. Whether a Town or Parish Council has a qualified Clerk, for example a Clerk holding a Certificate in Local Council administration affects in some circumstances what power a Town or Parish Council can use to carry out a function. Currently, where no power exists a Council may on some certain and specified circumstances use the limited power available to it under section 137 of the 1972 Act, which is often referred to as the power of last resort (used when no other power is available). Section 137 of the Local Government Act 1972 enables local councils to spend a limited amount of money for purposes for which they have no other specific statutory expenditure The criteria to use this power includes 1, employing a qualified Clerk and 2) having at least two thirds elected members (not co-opted) to their Council.

The Parish Clerk is responsible for ensuring that the instructions of their council in connection with its function as a Town or Parish Council are carried out.

A Clerk is expected to advise their Council on, and assist in the formation of, overall policies to be followed in respect of the council's activities, and in particular, to produce all the information required for making effective decisions and to implement constructively all decisions. The Clerk therefore needs to be knowledgeable in respect of the statutory legislation by which the Town or Parish Council is governed

The Clerk is accountable to the Council for the effective management of all its resources and will report to them as and when required. For some clerks, this means reporting at the monthly Town or Parish Council and for others, in the first instances, it means reporting to numerous Committees such as Planning Committees, Finance

and Policy Committees, Personnel Committees, Environment and Sustainability Committees, to name a few.

The Clerk will understand the issues facing Parish Councils and the environment within which their Council operates and will commit themselves and the Council to an ethos of public service.

A Parish or Town Council Clerk will ensure compliance with legal duties and this includes: -

- Ensuring that all statutory and other provisions governing or affecting the running of the Council are observed.
- Monitoring the implemented policies of the Council to ensure they are achieving the desired result and, where appropriate, suggest modifications.
- Managing but not chairing their committee, working party and Parish meetings.
- Preparing informative agendas for meetings of the Council, in consultation with appropriate Councillors.
- Attending all meetings of the Full Council, taking a formal Minute of the meeting, and creating an Action Log. Ensuring that these actions are taken in advance of the following meeting.
- Preparing, and agreeing with the Chair/Chairs, the agendas for Parish Council or committee meetings.
- Issuing notices and agendas for the Parish/Town Council's annual meeting and the Parish Meeting. Attending and minuting these meetings and implementing the decisions made that are agreed by the Council.

The role of the Clerk includes delivering a council's strategic purpose

Drawing up, both on their own initiative and as a result of suggestions by Councillors, proposals for consideration by the Council, and advising on the practicability and likely effects of specific courses of action and this includes: -

- Updating a Council's annual plan and monitoring progress of schemes.
- Bringing forward draft policies and scheme proposals to reflect their community's needs.
- Receiving correspondence and documents on behalf of the Council and, following known policy of the Council and in liaison with appropriate Councillors, responding on behalf of the Council.

- Preparing a monthly summary of all significant incoming and outgoing correspondence for Council meetings.
- Drafting responses to third party consultation exercises.
- Studying reports and other data on Council's activities and on matters bearing on those activities. Where appropriate, discussing such matters with administrators and specialists in particular fields and producing reports for circulation and discussion by the Council.

The Clerk undertakes matters of Parish Administration which include.

- Establishing and maintain effective paper and electronic filing systems to record the business of the Parish Council in a recoverable format.
- Maintaining effective booking and fault-reporting systems to enable the public to access the services of partner organisations e.g., Police, Bath and North East Somerset Council.
- Placing and managing orders for the purchase and supply of goods and services.
- In some cases, ensuring the letting and effective management of Parish facilities and services e.g., halls and allotments to name a few.
- Working collaboratively with the Chairs of all relevant committees in the oversight of those elements of the Council's business.

A Parish Clerk leads on all matters in respect of the Council's Health and Safety issues, including:

- Ensuring that the Council's statutory obligations for the proper management of all Health and Safety matters are met, including the review of Council's Health and Safety Policy and the preparation (and oversight) of Risk Assessments, where necessary, for the safe management of Council business and activities.

The Parish/Town Clerk, even those with a Responsible Financial Office must oversee the financial management of the Council and this includes

- Managing the annual budget for Council and its committees, and preparing financial statements as required.
- Monitoring and balancing the Council's accounts and preparing records for audit and VAT purposes.
- Ensuring that correct financial records are kept and that internal checking regimes are established.

- Receiving and reporting on invoices for goods and services to be paid for by the Council and ensuring that such accounts are settled within due timescales.
- Issuing invoices on behalf of the Council for goods and services and ensuring payment is received.
- Researching and bringing forward opportunities to apply for grants to support programme aspirations.

For larger Parish/Town Council's the Clerk will be in control of Staff Management and Human Resources issues including:

- Managing their own work and that of all the council's employees and service contracts, by agreeing job descriptions and annual work plans, and contributing positively to reviews of performance
- Continuing to acquire and maintain the necessary professional knowledge required for the efficient management of the affairs of the Council, and join appropriate professional bodies e.g. The Society of Local Council Clerks.
- Attend training courses or seminars on the work and role of the Clerk.
- Work towards the achievement of a Certificate in Local Authority Administration (CiLCA) as a minimum requirement for effectiveness in the position of Clerk to the Council
- Maintain records of staff hours, leave, training etc.
- Supervise any other members of staff as their Line Manager, in keeping with the policies of the Council and undertake all necessary activities in connection with the payroll, pensions, management of salaries, conditions of employment and work of other staff.

The Parish or Town Clerk deals with the majority or all of the Council Communications, including:

- Managing the Council's website and ensuring it is accurate and up to date.
- Identifying items to post on the website and in their Parish Newsletters.
- Devising new ways to communicate with their community in order to find out their priorities and requirements.
- Attending, as a representative of the Council, the conferences of the National Association of Local Councils, Society of Local Council Clerks, and other relevant bodies.
- Working cooperatively with the media to promote the role and a positive public perception of the Council.

- Working with Councillors in the preparation of press releases and other media engagement. Issuing and monitoring outcomes from all Press Releases and ensuring that the Council's legal responsibilities have been adhered to, the reputation of the Council is protected, and that there is consistency of style including branding.
- Act as the representative or spokesperson of the Council as required.

Other duties of a Town and Parish Clerk include

- Attending Council and other stakeholders' events, as necessary.
- Working collaboratively with the local authority officers and Councillors to resolve issues, improve matters and develop/regenerate where required their Parish or Town.
- Carrying out such other responsibilities and functions as shall from time to time be required by the Council.

As you probably can now appreciate, Parish and Town Clerks are very busy people and no two days in the working life of a Clerk are the same.

The role of a Parish or Town Councillor

Town and Parish Clerks are appointed to carry out the business of the Council in partnership with its Councillors:

Parish Councillors are elected representatives (they are neither volunteers nor employees), and they serve for a 4-year term unless co-opted or elected in a by-election when they serve until the next election. They must apply the law, comply with the Code of Conduct and other regulations of their Council, and complete and maintain an up-to-date Declaration of Interests. A Councillor can be elected as a member of a political party or as an independent. Some Councillors may be elected to the Local Authority as well as their local Parish or Town Council. These Councillors are Ward Councillors and are known as Dual Hatted Councillors. Councillors in this position must be careful when undertaking activities, attending events or consulting with local residents. They need to ensure that it is clear in which capacity they are acting, which would be as either as a Parish Councillor or a Local Authority Councillor.

Councillors contribute to the work of the Council by suggesting ideas, influencing policy, engaging in constructive debate and by responding to the needs and views of their community. Councillors comment on proposals to ensure the best outcome and vote to enable the Council to make decisions.

The main role of a Parish or Town Councillor is to represent the views of all residents within the Parish and to listen to, and understand, the views and needs of different

groups in the community (such as young and older people, or those who live locally and those who commute into Bath, Bristol or further afield to London, or those with children at home and those without). As a Councillor, there is a responsibility to be well-informed, especially about diverse local views. Councillors cannot assume that they represent the interests of electors without consulting them.

Councillors provide a bridge between the community and their council, being an advocate for local residents and signposting them to the right people within their council or the Local Authority.

In order to understand and represent local views and priorities, a Parish or Town Councillor needs to build strong relationships and encourage local people to make their views known and engage with them and the council. Good communication and engagement are central to being an effective councillor.

Individual Parish and Town Councillors cannot make decisions on behalf of their Council, but they can actively lead and engage with local projects. *Parish Councillors have no powers outside of the Council meeting.*

Diversity is encouraged. Councillors from different backgrounds better represent the whole community and possess different enthusiasms, skills, attitudes and interests. Young Councillors are great at reaching the younger members of a town or village.

Some Councillors work with ideas, while others are very practical; some like accounts while others prefer reports. Some Councillors may have only ever lived in their town or village, whereas others may be new residents: and, ideally, they will all have been elected by their community to the position. All Parish and Town Councils need a wide range of skills and experience to work as a team.

Inevitably, there will at times be very differing views about how to proceed and there will be conflicts of interest, all of which requires sensitive judgement, and emphasise the need to take difficult decisions in an open, honest, reasoned and transparent way. Councillors are also required to act in an ethical way and to declare an interest when necessary.

The Key Responsibilities of a Town or Parish Councillor may include:

- Community leadership which is at the heart of modern local government. Parish and Town Councils work in partnership with local communities and organisations, including public, voluntary, community and private sectors to develop a vision for their local area, working collaboratively to improve services and quality of life for their residents. Councillors have a lead role in this process,
- Having responsibility for running local services such as community car schemes, allotments, cemetery services and potentially much more. Some Parish Councils exercise this responsibility in the context of public open spaces, play areas, and their village hall.

- Councils need clear strategies and policies to enable them to achieve their vision for their local area, make the best use of resources and deliver services that meet the needs of the local communities. Councillors contribute to the development of these policies and strategies, bringing the views and priorities of their local area to the debate
- Deciding how much to raise through the precept in order to deliver the Council's services is a key responsibility of being a Councillor.
- Influencing and shaping the long-term development policy for the Parish, and as part of the planning process, commenting on planning applications in the Parish.
- Improving the quality of life and the environment in the local area.
- Working to identify issues which are important to the lives of the residents in which they represent.
- Working to bring about improvements through local projects, lobbying other service providers and working in partnership with other Parishes, local authorities, and agencies.
- A Councillor agrees to attend all meetings (reasonably possible) that they are summoned to.
- Councillors together as a team are responsible for the financial decisions made and implemented by their Council.
- A Councillor is bound by the Code of Conduct, which ensures that their actions and decision-making are transparent. They must also complete a Declaration of Interests and ensure that this is kept up-to-date.

A Councillor's main task is to bring local issues to the attention of the Council, participate in debate and help the Council to make decisions on behalf of the local community.

Each Councillor has their own reasons for running as a Councillor, but the role offering the chance to make a huge difference to the quality of life for in people in their area is one very good reason. The majority of Parish and Town Councillors are very committed and work very hard with no recompense to ensure that their town, village or parish balance the needs and interest of their residents and the Council.