



Serving the community

Blaby Parish Council

GENERAL POLICY No.11- ROLES & RESPONSIBILITIES

A. THE COUNCIL AS CORPORATE BODY

- The Council is an 'it'. In law, a Council is a single corporate body and the decisions it takes 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 public money lawfully and without risk, and for achieving the best value for money.
- The Council represents and serves the whole community. Most communities are made up of many smaller communities, often with different interests; a Council's duty is to serve them all. The Council balances the needs of different elements of the community to get the best result. Frequently it has the difficult task of deciding what that best result might be.
- Parish Councils are local authorities, first created by statute in 1894. Parliament has given parish councils the power to raise and spend money – a power shared by other local authorities.
- Each Parish Council is made up of individual Councillors who contribute to the work of the whole Council by;
 - suggesting ideas,
 - engaging in constructive debate,
 - responding to the needs and views of the community,
 - representing their constituents,
 - behaving in an ethical way and being open about interests,
 - commenting on proposals to ensure the best outcome,
 - voting – to enable the Council to make decisions.
- **No individual Councillor (including the Chairman)** can make a decision on behalf of the Council.
- The Chairman, assisted by the Manager, guides these activities by managing the meetings of the Council.
- The Council as a body decides whether to work in partnership with other organisations and can agree to serve on other bodies. When working in partnership, Councillors often represent the Council as a corporate body.

B. THE COUNCIL AS EMPLOYER

- The Manager and other staff are employed by the Council as a body and not by each individual Councillor. Councillors should not intervene in the management of other staff, who are the Manager's responsibility.
- The responsibilities of each member of staff should be clearly laid out in a job description attached to a proper contract of employment. A Manager's job description states that the Manager is responsible to the Council; job descriptions for other posts make it clear to whom the post holder is responsible.
- The Council should have a formal grievance procedure in place – just in case anything goes wrong between staff and employer. A formal pre-determined procedure is neutral and makes it easier to handle conflicts when they arise.
- Staff have a right to expect that the Council discusses matters related to employment in private session. The Council should always resolve to exclude the press and public for agenda items about staff.
- It is good practice for each member of staff and their line manager to take part in an appraisal once a year. The Manager's line manager is the Council – probably represented in an appraisal by the Chairman of Council and/or Chairman of Staff. An appraisal reflects on expectations and achievements in terms of a staff member's work and identifies training needs or changes to working conditions.
- Contracts and job descriptions should establish the Council's commitment to training.
- Legislation protects all members of staff against discrimination and harassment. The best Councils publish an equal opportunities statement. Councils are guilty of breaching the Code of Conduct if they seek to compromise the impartiality of staff.

C. THE CHAIRMAN

- The Chairman is in a position of authority, responsible for ensuring that effective and lawful decisions are taken at meetings of the Council. In law, the Council **must** appoint a Chairman (i).
- The Chairman should be consulted on the content of the agenda but, as legal signatory, the Manager has the final say.
- The Chairman works in partnership with the Manager to make sure that the Council is properly informed for making lawful decisions during Council meetings.
- The Chairman is responsible for involving all Councillors in discussion and ensuring that Councillors keep to the point. The Chairman summarises the debate and facilitates the resolving of clear decisions.
- It is the Chairman's responsibility to keep discussions moving so that the meeting is not too long. It is unfair and inefficient to ask people to concentrate for long periods.
- The Chairman has a casting vote. The first vote is a personal vote as an ordinary Councillor. If there is a tied vote, the Chairman (as Chairman) can have a second, or casting vote.
- The Chairman is often the public face of the Council. A Chairman's allowance is a useful sum of money in the budget to enable the Chairman to represent the Council in a civic capacity. It allows the purchase, for example, of a bouquet for a Councillor who is ill, raffle tickets at the school and modest hospitality. The Chairman must keep an accurate record of what is spent under this allowance.
- The Chairman often speaks on behalf of the Council but must remember to express the views of the Council and not personal views. If in doubt, the Councillor refers to points agreed in the Council minutes. The Manager should be able to give the Chairman clear guidance on the Council's corporate view.
- By law the Chairman **cannot** make a formal decision on behalf of the Council. Occasionally this can put the onus on the Manager to decide whether it is lawful to act on the Chairman's advice.
- The Chairman may convene an *extraordinary meeting* of the Council.

Footnotes

(i) Local Government Act 1972, section 14.

D.THE MANAGER

Professional Officer

- The Manager is a professional officer who serves as an independent and objective advisor and is, in law, the Proper Officer.
- It is the Manager's job to implement decisions of the Council
- Advises the Chairman on appropriate procedures for conducting legal and effective meetings.
- The Manager may be the Responsible Finance Officer and draws up the Council's financial regulations.
- Is responsible for the style, structure and content of the Minutes, which form a legal document.
- Advises the Council on legal issues related to the management of Council and Committee meetings.
- Liaises with the District Council to administer the processes of elections, casual vacancies and co-option.
- Ensures that all Councillors and the Chairman make Declarations of Acceptance of Office.
- Represents the Council when dealing with the public, the media and other organisations.
- Signs notices or other documents on behalf of the Council.

Administration

- Is responsible for all agenda. The Manager writes it, signs it and sends it to all Councillors at least three clear days before the meeting.
- Accepts and numbers Notices of Resolutions; enters such Resolutions into a book; makes this book open for inspection by Council Members; inserts such Resolutions in the next notice of Council meeting.
- Puts up notices advertising all Council and Committee meetings.
- Receives and records notices disclosing interests.
- Makes sure that all decisions are accurately recorded in the Minutes.
- Makes the Minutes available for public inspection and keeps them in a safe and accessible place.
- Records in the Minutes a vote, including the names of Members voting for or against, if required.
- Keeps an attendance register.
- Affords the press, reasonable facilities for taking reports of any proceedings at which they are entitled to be present.
- Establishes and manages Standing Orders and makes recommendations for change as appropriate.
- Manages property.
- Writes letters, reports etc.
- Ensures that the administrative service for Committees and sub-Committees is provided in the same way as for Council meetings.
- Records the receipt of planning applications.
- Enables Parishioners to view plans at reasonable times.
- Receives and retains plans and documents

Financial

- Is responsible for ensuring that the correct payment is made for goods and services.
- Is responsible for the collection of monies owed to the Council.

Staff

- Instructs Council employees.
- Is responsible for drawing up employees' wages.
- Is responsible for liaising with employees re holidays.