

# Procedure: Working together: Councillors and the Clerk

## *The status of the Parish Council*

1. In effect, the Parish Council is a **Statutory body**. This means that the work of the Parish Council is controlled by what parliamentary legislation says it may, and may not do.
2. The Parish Council is also a **corporate body** and all councillors must publicly observe and honour majority decisions made by the Parish Council. Councillors do not have individual powers.

## *Councillors*

3. The Standard for Councillors is that they act at all times in an ethical manner in accordance with the Seven Nolan Principles<sup>1</sup>, and particularly that they are perceived by the community to act in the best interests of the community, rather than for any personal objective.
4. In order to limit the possibilities of complaints or legal action against individual councillors and/or the Parish Council, it is always necessary to proceed with caution since action by third parties could result in a disruption to the Parish Council's work, stress and financial implications.
5. Councillors main function is to attend formal, Parish Council meetings and therein to engage in constructive debate, suggest ideas, articulate the needs and views of the community, comment on proposals, help to make decisions and vote, if required.
6. The Parish Council may decide on a certain course of action and this may be delegated to the Clerk, or to a group, or individual councillor. An example

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<sup>1</sup> The Seven Nolan Principles are:

**Selflessness** – you should act in the public interest

**Integrity** – you should not put yourself under any obligations to others, allow them improperly to influence you or seek benefit for yourself, family, friends or close associates

**Objectivity** – you should act impartially, fairly and on merit

**Accountability** – you should be prepared to submit to public scrutiny necessary to ensure accountability

**Openness** – you should be open and transparent in your actions and decisions unless there are clear and lawful reasons for non-disclosure

**Honesty** – you should always be truthful

**Leadership** – as a councillor, you should promote, support and exhibit high standards of conduct and be willing to challenge poor behaviour.

could be a Councillor delegated to produce a map showing speed signage in the Parish. If that Councillor wanted any letters sending, or telephone calls making, then the Clerk should be asked to do this. In this way, the Clerk remains aware of the entirety of the Parish Council's work.

### *The Clerk*

7. The Clerk is the "proper officer" of the Parish Council. Our present Clerk is very experienced and her advice on procedures should be sought and followed. If necessary, the Clerk can herself take advice from SALC. (The Sussex Association of Local Councils). This offers the Parish Council and individual councillors the best form of protection from complaints or legal action.
8. The Clerk is responsible for the day to day management of the Parish Council's business which means she sends all letters, emails, makes phone calls and makes verbal approaches to outside bodies, in her role as Clerk. Individual Councillors should, if they are aware of a problem, email the Clerk and outline the problem which she will then either deal with or put on the agenda for the next Parish Council meeting. A rare exception might be a Planning Issue where a Councillor has more detailed, technical knowledge but then he/she should only act with the Clerk's knowledge and agreement, and anything in writing should always bear the Clerk's name.

*Procedure agreed at full Parish Council meeting on 2 October 2019*