

SOUTH HEIGHTON PARISH COUNCIL

Roles and Responsibilities Protocol for Councillors and Officers

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Notes and Background

The Parish Council is committed to achieving good local governance. This means that the Parish Council wants to ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

To help the Parish Council achieve this we aim to follow the six principles of good local governance:

- 1 Focusing on the purpose of the Council and on outcomes for the community and creating and implementing a vision for the local area;
- 2 Members and officers working together to achieve a common purpose with clearly defined functions and roles;
- 3 Promoting values for the Council and demonstrating the values of good governance through upholding high standards of conduct and behaviour;
- 4 Taking informed and transparent decisions which are subject to effective scrutiny and managing risk;
- 5 Developing the capacity and capability of Members and Officers to be effective;
- 6 Engaging with local people and other interested persons to ensure robust public accountability.

As a first tier of local government the Parish Council is directed and controlled by central government legislation. This document is one of a number, which together, sets out the systems and processes of how the Parish Council works within this framework and, as importantly, our culture and values on the way we work, so that we may fulfil these six principles.

This Protocol has been prepared and adopted as an integral part of the Parish Council's Code of Conduct. It sets out in more detail the various different roles, responsibilities and working relationships between both Councillors and Officers of the Parish Council; what is expected of them and how they should conduct themselves in fulfilling their roles.

It has been prepared in the light of advice and guidance given in "Openness and Transparency on Personal Interests - A guide for Councillors" published in March 2013 by the Department for Communities and Local Government and "The Good Councillor's Guide – Essential Guidance for Local Councillors", 4th edition published in 2013 by the National Training Strategy for Town & Parish Councils and the subsequent Addendum produced in April 2015.

It should be read in conjunction with the other adopted policies, procedures and protocols of the Parish Council such as the Council's Standing Orders and in particular the Code of Conduct which includes specific legal duties and responsibilities for Councillors.

The protocol should also be read and operated in the context of any relevant legislation and national and local codes of conduct, in force at the time.

Councillors are required to sign a formal Declaration of Acceptance of Office which incorporates their acceptance that they will abide by the Parish Council's Code of Conduct and consequently this Protocol.

For their part the Parish Clerk and any other Officer appointed by the Parish Council is also expected to comply with the principles of the Council's Code of Conduct and this Protocol, as part of their terms of employment.

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1.0 Introduction

- 1.1 The relationship between Councillors and Officers is an essential ingredient that goes into the successful work of the Parish Council. This relationship should be characterised by mutual respect and trust. Councillors and Officers should feel free to speak to one another openly and honestly.
- 1.2 The purpose of this protocol is to help Councillors and Officers achieve and continue this relationship. It gives guidance on their respective roles and responsibilities and sets out expectations on their relationships with and behaviour towards each other.
- 1.3 The protocol also gives guidance on what to do on the rare occasions when things go wrong within this relationship.
- 1.4 To help Councillors it also sets out briefly the function of a Parish Council, what is expected of a Councillor and how Parish Council meetings are organised and run.

2.0 The Role and Responsibilities of the Parish Council

The First Tier of Local Government

- 2.1 The Parish Council is a corporate body, a legal entity separate from that of its Members. Its decisions are the responsibility of the whole body i.e. all the Councillors, even if you do not individually agree with them, or as a Councillor vote for them.
- 2.2 The Parish Council has been granted powers by Parliament including the important authority to raise money through taxation (the precept) and has a range of powers to spend this public money.
- 2.3 The Parish Council is an elected body in the first tier of local government. The other two tiers, known as principal councils or authorities (in South Highton's case Lewes District Council and East Sussex County Council), have many legal duties to deliver services such as education, housing, town and country planning, transport, environmental health and social services.
- 2.4 The Parish Council has the legal power to take some actions (see Appendix A), but has very few duties and to some degree greater freedom to choose what action to take. Most importantly the Parish Council plays a vital part in representing the community it serves and in improving the quality of life for its residents and the local environment of the Parish. The Parish Council has a key role in trying to influence other decision makers and bodies that deliver services to meet local needs.

Duties and Responsibilities of Parish Councils

- 2.5 As a part of local government the Parish Council must:
 - a) do what the law requires it to do,
 - b) do only what the law says it may do, and
 - c) cannot do anything unless permitted by legislation.

- 2.6 The crucial question the Parish Council must ask itself when making a decision, especially if it involves public money, is “Does the Council have a legal power to act”?
- 2.7 The law does give the Parish Council choice in activities to undertake; but surprisingly there are very few duties, or activities that the Parish Council must carry out in delivering services to local people. Exceptions are that the Parish Council must:
- a) comply with its obligations under the Freedom of Information Act 2000, the Data Protection Act 1998 and the Equality Act 2010;
 - b) comply with employment law;
 - c) consider the impact of its decisions on reducing crime and disorder in their area;
 - d) have regard to the protection of biodiversity in carrying out its functions;
 - e) consider the provision of allotments if there is demand for them from local residents and it is reasonable to do so; and
 - f) decide whether to adopt a churchyard when it is closed, if asked to do so by the Parochial Church Council.
- 2.8 The Parish Council also has a duty to ensure that all the rules for the administration of the Council are followed. The Parish Council must:
- a) appoint a chairman of the Council;
 - b) appoint Officers as appropriate for carrying out its functions;
 - c) appoint a Responsible Financial Officer (RFO) to manage the Council’s financial affairs, in South Heighton Parish Council’s case this is the Parish Clerk;
 - d) appoint an independent and competent internal auditor;
 - e) adopt a Code of Conduct; and
 - f) hold a minimum number of four meetings per year, one of which must be the Annual Meeting of the Council.
- 2.9 The law also requires that, at all times, the Parish Council must act as a responsible employer. It is most important for the Parish Council to ensure that all staff have a written contract of employment and that the Parish Clerk is paid (as a minimum) according to the recommendations agreed by the National Association of Local Councils and the Society of Local Council Clerks.
- 2.10 It should be noted, however, that when Councillors occasionally act as Clerk, they cannot be paid. In fact, Councillors cannot be appointed to any paid employment in the Parish Council whilst they remain a serving Councillor or within 12 months of leaving office.
- 2.11 Rules set by Government on the Parish Council are designed to make sure that the Parish Council takes no unacceptable risks with public money. The key words are “risk management” which includes ensuring that the Parish Council has proper insurance to protect employees, buildings, cash and members of the public. It is not just about protecting assets; it is about taking care of people. As a Councillor, you share collective responsibility for financial management of the Parish Council, your role is to ensure that the Responsible Finance Officer (the Parish Clerk), acts properly so that the Parish Council avoids the risk of loss, fraud or bad debt, whether through deliberate or careless actions.

- 2.12 It is also essential that the Parish Council is seen to provide value for money. This means ensuring that public money is spent efficiently to provide an effective service. Your aim as a Councillor is to get more Parish Council activity for the least possible expense without compromising quality. To assess 'value for money' you as a Councillor need to regularly asks whether it is really necessary for the Parish Council to spend the money or whether it can find a way of doing it better. The financial rules and the variety of statutes and procedures imposed on the Parish Council are there to protect it and you as a Councillor. Most importantly the rules give the Parish Council the tools it needs to achieve its goals, protect community assets and make best use of public money.
- 2.13 If you are beginning to think there are too many rules, remember that they protect people's rights (including yours as a Councillor) and give confidence that the Parish Council is properly run.

A more detailed list of what a Parish Council can do is set out in Appendix A

3.0 The General Role of Councillors

- 3.1 The job of Parish Council is to represent the interests of the whole community. Understanding the needs of different groups in the community (such as young and elderly people) is an important part of your role as a Councillor. Occasionally there will be a conflict of interest requiring sensitive judgement; for example, dog owners, parents of young children and walkers might disagree about use of the village green. Making difficult decisions, in an open and reasoned way, is something that the Parish Council needs to do well. As a Councillor, you have a responsibility to be well-informed, especially about diverse local views. You cannot assume that you represent the interests of all your electors without consulting them and it is therefore particularly important that you as a Councillor and the Parish Council as a whole seek ways to inform, engage and involve the local community in the decisions of the Parish Council.
- 3.2 The results of community consultation help you as a Councillor and the Parish Council to:
- a) speak on behalf of the community with greater confidence especially in discussions with principal authorities;
 - b) provide services and facilities, especially where there is no other provider or the local council can secure better value for money;
 - c) support community action and services provided by others; the council can offer buildings, staff expertise and funding to get local projects off the ground;
 - d) work in partnership with community groups, voluntary organisations and other local authorities, including neighbouring local councils, to benefit the community.

- 3.3 The seven Nolan principles apply to the conduct of people in public life and you as a Councillor. These are set out in more detail in the Parish Council's Code of Conduct, but in summary they are:
- a) Selflessness: you should act in the public interest;
 - b) 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;
 - c) Accountability: you should be prepared to submit to public scrutiny necessary to ensure accountability;
 - d) Openness: you should be open and transparent in your actions and decisions unless there are clear and lawful reasons for non-disclosure;
 - e) Honesty: you should always be truthful;
 - f) Leadership: as a Councillor, you should promote, support and exhibit high standards of conduct and be willing to challenge poor behaviour.

4.0 The General Responsibilities of a Councillor

- 4.1 As a Councillor you have a responsibility to:
- a) attend meetings when summoned to do so; the notice to attend a council meeting is, in law, a summons, because you have a duty to attend;
 - b) consider, in advance of the meeting, the agenda and any related documents which were sent to you with the summons;
 - c) take part in meetings and consider all the relevant facts and issues on matters which require a decision including the views of others expressed at the meeting;
 - d) take part in voting and respect decisions made by the majority of those present and voting;
 - e) ensure, with other Councillors, that the Parish Council is properly managed;
 - f) represent the whole electorate, and not just those who voted for you.
- 4.2 The Parish Council is also a formal consultee on local planning applications and as a Councillor you will be expected to look at planning applications that are circulated to you for comments and/or at full Council, deciding what recommendations to make. While the planning authority doesn't have to agree, it must consider the Parish Council's view before it decides to grant or refuse permission for the development.
- 4.3 As a Councillor your and the Parish Council's recommendations on a planning application should fit with statutory local development plans, otherwise they may be ignored. Central to this decision making process are material considerations – issues that are, in law, material or relevant to a planning application. Such matters must be taken into account when making a recommendation on a planning application. Material considerations include:
- a) the local development plan (including the local plan or neighbourhood plan)
 - b) a site's planning history (including earlier applications)
 - c) accessibility, traffic, roads and parking, archaeology, and
 - d) a community plan or design statement

- 4.4 As a Councillor your personal feelings about the planning application, or the applicant, are not relevant. It is the wider public interest in respect of the planning application that is important.

5.0 Other Roles of Councillors on South Highton Parish Council

- 5.1 The Parish Council, as a relatively small authority, has only limited financial and staff resources, with a part time Parish Clerk. There is consequently a history of Councillors taking the lead in respect of various roles to help spread the work load of the Parish Council and assist the Parish Clerk. This also helps identify particular Councillors as contacts for local residents and enables the Councillors to use their particular skills or interests for the benefit of the local community. It also provides the opportunity for Councillors to build up experience, expertise and develop contacts with the relative authorities and responsible bodies.
- 5.2 These roles and responsibilities are allocated on a voluntary basis at the Parish Council's Annual Parish Council Meeting and are set out in Appendix B with details of what is involved in respect of each one. However this does not exclude any Councillor from dealing with any issue raised by a resident in the Parish. As a Councillor you should be prepared to respond to any enquiry from a resident, to the best of your ability, and the Parish Clerk and other Councillors are there to help you do this.
- 5.3 It is one of the key roles of a Councillor to bring issues related to the Parish to the attention of the Parish Council, to consider their impact and decide on what action, if any, the Parish Council can take. This is done by informing the Parish Clerk and requesting that they put the subject (the item) on the agenda for the next Parish Council meeting, giving an outline of the issue and the decision that the Parish Council is being asked to make.
- 5.4 Councillors requesting items on an agenda will normally then prepare a short written report setting out in more detail the background to the issue and the reasons behind the decision the Parish Council is being asked to make. There is a standard report template, to help you do this. Although this sounds complicated, the process is relatively simple and the Parish Clerk will help and advise you on all of this.
- 5.5 As a Councillor, if you have an item on the agenda, you may give a verbal report at the meeting, but this does not give other Councillors, or residents (the agenda and reports are made available on the Parish Council's web site) the information they really need prior to the meeting and the item is likely to take longer to discuss as you have to present it in more detail, there are likely to be more questions and Councillors will not have had a chance to consider their view.
- 5.6 Further basic information on the procedures for Parish Council meetings is given below, but it is important to state that no decision can be made on any issue if there is not an item covering the subject on the agenda for the meeting.

6.0 The Role of the Chairman of the Parish Council

- 6.1 The statutory responsibilities of the Chairman of the Parish Council are set out in the Parish Council's Standing Orders. Principally the Parish Council Chairman is in charge during Parish Council meetings; this is an office created by legislation commanding respect. The Chairman is elected at the Annual Meeting of the Parish Council for one year. The Chairman has a duty to ensure that Parish Council meetings run smoothly, that all business is properly considered and all Councillors who wish to speak can do so. The Chairman has few special powers. For instance, it is unlawful for a Council to delegate decision making to any individual Councillor and the Chairman is no different. However, when a vote is tied at a Parish Council meeting, the Chairman may use a second, or casting vote.
- 6.2 Whilst putting together the agenda is the Parish Clerk's legal responsibility, this process is undertaken in consultation with the Chairman, in order that they are fully aware of the items to be discussed and they can better manage the Parish Council meeting. This is normally done through pre-agenda meetings between the Parish Clerk and Chairman which gives the Chairman the opportunity to seek guidance from the Clerk and, if necessary, ask for additional information that may help Councillors in discussing the item and coming to an appropriate decision.
- 6.3 The Chairman of the Parish Council, along with the Vice Chairman, is also responsible for the general management and supervision of the Parish Clerk, as set out within the adopted policies and procedures of the Parish Council and the terms of employment.

7.0 The Role of the Vice Chairman of the Parish Council

- 7.1 The statutory responsibilities of the Vice Chairman of the Parish Council are set out in the Parish Council's Standing Orders. Principally they act as the Chairman in the Chairman's absence with the same powers and may also deputise for them where appropriate. They have no other specific role, but as referred to above, assist in the general management and supervision of the Parish Clerk, as set out within the adopted policies and procedures of the Parish Council and the terms of employment.

8.0 The General Role and Responsibilities of the Parish Clerk and other Appointed Officers

- 8.1 The general role of Officers is to give advice and information to the Councillors and to implement the policies determined by the Parish Council. In giving such advice to Councillors, and in preparing and presenting reports, it is the responsibility of the Officer to express his/her own professional views and recommendations, without favouring any political party view, individual, or group of Councillors.

- 8.2 The Parish Clerk is the appointed Proper Officer and, in the case of South Heighton, the Responsible Finance Officer (RFO) for the Parish Council. As such they have responsibilities in law over and above their obligations to the Parish Council and/or individual Councillors. Councillors must respect these responsibilities and must not obstruct the Parish Clerk in the discharge of their duties.
- 8.3 The statutory and other responsibilities of the Parish Clerk are set out in the Parish Council's Standing Orders, as RFO in the Parish Council's Financial Regulations and in detail in the terms of employment. Principally the Parish Clerk is responsible for the day to day running of the Parish Council, including organising and calling the Parish Council meetings, and ensuring that the Parish Council complies with all its statutory duties and legal responsibilities. As a small authority the Parish Council only employs a Parish Clerk on a part time basis and does not employ other permanent Officers. As a result, as is referred to above, a lot of practical work is undertaken by Councillors at South Heighton.

9.0 Councillors' Relationship with the Parish Clerk and Other Appointed Officers

- 9.1 The respective roles of Councillors and Officers can be summarised as follows:
Councillors and Officers are servants of the public and they are indispensable to one another, although they have different responsibilities. Councillors are responsible to the electorate and serve only so long as their term of office lasts. Officers are responsible to the whole Parish Council and may serve under several different elected administrations. Their job is to give advice to Councillors and to the Parish Council, and to carry out the Parish Council's work under the direction and control of the Parish Council and its Committees or Sub-Committees.
- 9.2 Mutual respect between Councillors and Officers is essential to the successful working of the Parish Council.
- 9.3 Councillors are responsible for determining the policy of the Parish Council and providing strategic leadership, representing the Parish Council externally when properly authorised to do so, and acting as advocates on behalf of their constituents. It is not the role of Councillors to involve themselves in the day to day management of the Parish Council, though in the case of South Heighton, because of its size, Councillors do undertake work that would otherwise be undertaken by Officers at a larger authority.
- 9.4 The Chairmen and Vice Chairmen of the Parish Council also have additional responsibilities, referred to above. Due to the nature of those responsibilities, their relationship with the Parish Clerk may be different from and more complex than those of Councillors without those responsibilities. This is recognised in the expectations that both parties are entitled to have (see below). However, all Councillors must still respect the impartiality of Officers, must not ask them to undertake work of a party political nature, or to do anything which may compromise the nature of their role.

- 9.5 The distinct roles of Councillors and Officers necessarily imposes limitations upon behaviour. By way of illustration, and not as an exclusive list:
- a) Close personal relationships between Councillors and Officers can often confuse these separate roles and get in the way of the proper discharge of the Council's functions, not least by creating the perception in others that a particular Councillor or Officer may secure advantageous treatment.
 - b) The need to maintain the separate roles means that there are limits to the matters on which Councillors may seek the advice of Officers, both in relation to personal matters, party political and other issues.
 - c) Relationships between Officers and Councillors or with particular individuals or party groups should not be such as to create public suspicion that an Officer favours that Councillor or group above others.

10.0 Expected Behaviour by Councillors, Parish Clerk and other Appointed Officers

10.1 Councillors can expect from Officers:

- a) a commitment to the Council as a whole, and not to any group or individual Councillor
- b) a working partnership
- c) an understanding of and support for respective roles, workloads and pressures
- d) a timely response to enquiries and complaints
- e) impartial, professional advice, not influenced by political views or preference
- f) regular, up to date information on matters that can reasonably be considered appropriate and relevant to Councillors
- g) awareness of and sensitivity to the political environment
- h) respect, dignity and courtesy
- i) training and development in order to carry out their role effectively
- j) integrity, mutual support and appropriate confidentiality
- k) not to be subjected to bullying or harassment or to be put under undue pressure
- l) that Officers will not use their relationship with Councillors to advance their personal interests or to influence decisions improperly
- m) that Officers will at all times comply with the Parish Council's Code of Conduct and other policies and protocols adopted by the Parish Council

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- b) an understanding of and support for respective roles, workloads and pressures
- c) respect, dignity and courtesy
- d) integrity, mutual support and appropriate confidentiality
- e) not to be subjected to bullying or harassment or to be put under undue pressure
- f) that Councillors will not use their position or relationship with Officers to advance their personal interests or those of others or to influence decisions improperly
- g) that Councillors will at all times comply with the Parish Council's Code of Conduct and other policies and protocols adopted by the Parish Council

11.0 Conduct and Roles and Responsibilities at Meetings

- 11.2 Parish Council meetings and Committee meetings are formal events, not social occasions. They have a clear purpose – to make decisions – and are not just talking shops. Furthermore, they are public events; the meetings must be advertised and the press and public have a right to observe how the Parish Council operates. Exceptions are when sensitive issues are discussed (such as legal, contractual or staffing matters) and then the Parish Council, or Committee, can agree to exclude the press and public for just that item of business.
- 11.3 At least three clear days (i.e. working days) before each Parish Council, or Committee meeting, as a Councillor you should receive a summons and agenda. The three clear days is established in law because it is important to be notified of issues to be discussed. Topics requiring a decision cannot be added to the agenda after the deadline has passed; they must wait for another meeting.
- 11.4 Each agenda item should make it very clear what you as a Councillor are expected to do and be precise about the subject under discussion. For example, an agenda item saying “footpaths” gives no idea what to expect. It is more helpful to know that your task at the meeting is e.g.:
- “To receive a report from Cllr Gorie on the condition of footpaths in the parish and to agree action in response to proposals for repairs (copy of report attached).”
- 11.5 It is actually unlawful to make a decision, especially a decision to spend money, without sufficient (three clear days) warning. Vague agenda items that don't specify exact business (such as Matters Arising, Correspondence and Any Other Business) are inappropriate, because in law the Parish Council cannot make unexpected decisions.
- 11.6 Putting the agenda together is the Parish Clerk's responsibility. The Parish Clerk must sign the agenda and can decide how it will be set out. As referred to above as a Councillor you may ask the Parish Clerk to add items to the agenda if you feel a relevant subject should be discussed.
- 11.7 The Parish Council must advertise the meetings by putting up public notices and the public and press have a right to attend. The Parish Council encourage members of the public to speak and ask questions in a short, defined period, early in the meeting, but at the discretion of the Chairman they may be allowed to speak at other times, subject to the appropriate Standing Orders being suspended, if necessary.
- 11.8 Working parties or 'task-and-finish' groups are occasionally set up for a short-term purpose. They are not subject to the strict rules that apply to formal Parish Council meetings and do not need to be held in public, but you as a Councillor are still bound by the Parish Council's Code of Conduct and this Protocol when attending such meetings. A working party cannot make a decision on behalf of the Parish Council, but they can explore options and present these to the Parish Council for a decision.

- 11.9 As a Councillor you have a duty to attend Parish Council Meetings, but if you are unable to make a meeting you must contact the Parish Clerk in advance of the meeting with an apology and explanation. Illness or work commitments are acceptable reasons. If you fail to attend any meetings for six months, you will automatically cease to be a Councillor unless the Parish Council approved your reason for absence before the end of the six month period.
- 11.10 It is the Parish Council Chairman's job to manage the meeting by introducing agenda items, inviting members to speak, focusing discussion and clarifying matters for decision. Councillors, having engaged in discussion, will vote for or against the proposal by a show of hands. Matters to be decided are called proposals or motions. Decisions, called resolutions, are recorded in the minutes. If you have no view on a proposal, or cannot decide, you can abstain, but you shouldn't do this too frequently. Normally the names of the Councillors voting are not minuted, but if necessary you can ask for names to be recorded. Remember that the Parish Council decisions are corporate decisions. You should keep contributions short and to the point. Always work through the Chairman and try not to score points off fellow Councillors. Never engage in personal attacks on others.
- 11.11 As a Councillor, you must abide by rules that apply to the disclosure of some business or financial interests called "disclosable pecuniary interests". Under the Parish Council's Code of Conduct you must also declare any other interests, non-pecuniary or personal interests, at the start of the meeting, or when you realise they may arise as the meeting progresses. If in doubt it is always best to mention something that could be considered an interest. The Parish Council's Code of Conduct and Standing Orders sets out what actions you and the Parish Council must do when there are declarations of interest. The declaration of interests at meetings is intended to give the public confidence in the Parish Council's decision making.
- 11.12 The Parish Council meeting must remain quorate at all times (in South Heighton Parish Council's case this means that there must be 3 or more Members present), so if you know you need to leave during a Parish Council meeting you must warn your Parish Clerk and Chairman beforehand. If you need to leave the meeting temporarily you should make this request through the Chairman. As a rule, meetings should not last more than two hours otherwise concentration begins to lapse.

12.0 Consideration of the Advice of the Parish Clerk or other Appointed Officer

- 12.1 As a Councillor, although you may have a personal view, you should consider each item with an open mind and listen to all points of view being expressed before reaching a decision on how you are going to vote (normally done by a show of hands), but when reaching decisions on any matter as a Councillor you must have regard to any relevant advice provided to you by:
- a) the Parish Clerk as the appointed Proper Officer and Responsible Finance Officer;
 - b) any other Officer appointed by the Parish Council
- where the Clerk or the Officer is acting pursuant to his/her statutory duties.
- 12.2 As a Councillor you must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Parish Council.

13.0 When things go wrong

- 13.1 From time to time the relationship between Councillors and Officers may break down or become strained. Whilst it will always be preferable to resolve matters informally through conciliation, there are formal procedures if this is not possible.
- 13.2 An Officer may have recourse to the Council's formal Grievance Policy and Procedure and/or reporting to the District Council's Monitoring Officer to raise a Code of Conduct complaint.
- 13.3 A Councillor may have recourse to the Council's formal Disciplinary Policy and Procedure.

Appendix A - What A Parish Council Can Do

Function	Powers & Duties	Statutory Provisions
Allotments	Powers to provide allotments. Duty to provide allotment gardens if demand unsatisfied and if reasonable to do so	Small Holding & Allotments Act 1908, s.23
Borrowing money	Power for councils to borrow money for their statutory functions or for the prudent management of their financial affairs	Local Government Act 2003, Schedule 1, para. 2
Baths (public)	Power to provide public swimmingbaths	Public Health At 1936, s.221
Burial grounds, cemeteries and crematoria	Power to acquire and maintain Power to provide Power to contribute towards expenses of cemeteries	Open Spaces Act 1906, Sections 9 and 10 Local Government Act 1972, s.214 Local Government Act 1972, s.214 (6)
Bus Shelters	Power to provide and maintain shelters	Local Government (Miscellaneous Provision) Act 1953, s.4
Byelaws	Power to make byelaws for: Places of public recreation Cycle parks Public swimmingbaths Open spaces and burial grounds Mortuaries and post-mortem rooms	Public Health Act 1875, s.164 Road Traffic Regulation Act 1984, s.57(7) Public Health Act 1936, s.223 Open Spaces Act 1906, s.15 Public Health Act 1936, s.198
Charities	Duties in respect of parochial charities Power to act as charity trustees	Charities Act 2011, ss.298-303 Local Government Act 1972, s.139 (1)
Clocks	Power to provide public clocks	Parish Councils Act 1957, s.2
Closed Churchyards	Powers to maintain	Local Government Act 1972, s.215
Commons and common pastures	Powers in relation to Inclosure, regulation, management and provision of common pasture	Inclosure Act 1845; Small Holdings and Allotments Act 1908, s.34
Conference facilities	Power to provide and encourage the use of facilities	Local Government Act 1972, s.144
Community centres	Power to provide and equip buildings for use of clubs having athletic, social or educational objectives Power to acquire, provide and furnish community buildings for public meetings and assemblies	Local Government (Miscellaneous Provisions) Act 1976 s.19 Local Government Act 1972, s.133

Function	Powers & Duties	Statutory Provisions
Crime prevention	Power to spend money on crime detection and prevention measures	Local Government and Rating Act 1997, s.31
Ditches and ponds	Power to drain and maintain ponds and ditches to prevent harm to public health	Public Health Act 1936, s.260
Entertainment and the arts	Provision of entertainment and support of the arts	Local Government Act 1972, s.145
Environment	Power to issue fixed penalty notices for litter, graffiti and offences under dog control orders	Clean Neighbourhoods and Environment Act 2005, s.19, s.30, Part 6
General Power of Competence	Power for an eligible council to do anything subject to statutory prohibitions, restrictions and limitations which include those in place before or after the introduction of the general Power of competence	Localism Act 2011, ss.1-8
Gifts	Power to accept	Local Government Act 1972, s.139
Highways	<p>Power to repair and maintain public footpaths and bridle-ways.</p> <p>Power to light roads and public places</p> <p>Power to provide parking places for vehicles, bicycles and motor-cycles.</p> <p>Power to enter into agreement as to dedication and widening.</p> <p>Power to provide roadside seats and shelters.</p> <p>Power to consent to a local highway authority stopping, maintenance of a highway, or stopping up/ diverting a highway</p> <p>Power to complain to district council about the protection of rights of way and roadside waste</p> <p>Power to provide certain traffic signs and other notices</p> <p>Power to plant trees and shrubs and to maintain roadside verges</p>	<p>Highways Act 1980, ss.43, 50</p> <p>Parish Councils Act 1957, s.3; Highways Act 1980, s.301</p> <p>Road Traffic Regulation Act 1984, ss.57, 63</p> <p>Highways Act 1980, ss.30, 72</p> <p>Parish Councils Act 1957, s.1</p> <p>Highways Act 1980, ss.47, 116</p> <p>Highways Act 1980, s.130</p> <p>Road Traffic Regulation Act 1984, s.72</p> <p>Highways Act 1980, s.96</p>
Honorary titles	Power to admit to be honorary freemen/ freewomen of the council's area persons of distinction and persons who have, in the opinion of the authority, rendered eminent services to that place or area.	Local Government Act 1972, s.249
Investments	Power to participate in schemes of collective investment	Trustee Investments Act 1961, s.11
Land	Power to acquire by agreement, to appropriate, to dispose of Power to accept gifts of land	Local Government Act 1972, ss.124, 126, 127 Local government Act 1972, s.139

Function	Powers & Duties	Statutory Provisions
Litter	Provision of bins	Litter Act 1983, ss.5, 6
Lotteries	Powers to promote	Gambling Act 2005, s.252, 258
Markets	Power to establish or acquire by agreement markets within the council's area and provide a market place and market buildings	Food Act 1984, s.50
Mortuaries and	Powers to provide mortuaries and post-mortem	Public Health Act 1936, s.198
Neighbourhood planning	Powers to act as lead body for a neighbourhood development plan or a neighbourhood development order.	Localism Act 2011, Schedule 9; Town and Country Planning Act 1990, ss.61E- 61Q, Schedule 4B; Planning and Compulsory Purchase Act 2004, s.38A
Newsletters	Power to provide information relating to matters affecting local government	Local Government Act 1972, s.142
Nuisances	Power to deal with offensive ditches	Public Health Act 1936, s.260
Open spaces	Power to acquire and maintain land for public recreation Power to acquire and maintain land for open spaces	Public health Act 1875, s.164 Open Spaces Act 1906, ss.9 and 10
Parish Property and documents	Powers to receive and retain Duty to deposit certain published works in specific deposit libraries	Local Government Act 1972, s.226 Legal Deposit Libraries Act 2003, s.1
Public buildings and village hall	Power to acquire and provide buildings for public meetings and assemblies	Local Government Act 1972, s.133
Public Conveniences	Power to provide	Public Health Act 1936, s.87
Recreation	Power to provide a wide range of recreational facilities Provision of boating pools	Local Government (Miscellaneous Provisions) Act 1976, s.19 Public Health Act 1961, s.54
Right to challenge services that are provided by a principal authority	The right to submit an interest in running a service provided by a district, county or unitary authority.	Localism Act 2011, ss.81-86
Right to nominate and bid for assets of community value	The right to nominate assets to be added to a list of assets of community value and the right to bid to buy a listed asset when it comes up for sale.	Localism Act 2011, ss.87-108
Town and Country Planning	Right to be notified of planning applications if right has been requested.	Town and Country Planning Act 1990, Sched.1, para.8
Tourism	Power to encourage tourism to the council's area	Local Government Act 1972, s.144
Traffic Calming	Powers to contribute financially to traffic calming schemes	Local Government and Rating Act 1997, s.30
Transport	Powers to spend money on community transport schemes	Local Government and Rating Act 1997, s.26-29

Function	Powers & Duties	Statutory Provisions
War memorials	Power to maintain, repairs, protect and adapt war memorials	War Memorials (Local Authorities' Powers) Act 1923, s.1
Water	Power to utilise wells, springs or streams for obtaining water	Public Health Act 1936, s.125
Websites	Power for councils to have their own websites	Local Government Act 1972, s.142

Appendix B - Roles of Councillors on South Highton Parish Council

Christmas Tree

To consider ways of providing the Parish Council's Christmas Tree and associated lights and reporting these to the appropriate meeting of the Council. To arrange in liaison with the Parish Clerk the purchase erecting and removal of the Christmas Tree and lights as agreed by the Parish Council.

Communications & Community Engagement

To consider ways of improving and updating methods and opportunities for improving communication and engagement with the community of the parish and reporting these to the appropriate meeting of the Council. To monitor and update the Parish Council's Facebook site in line with the Parish Council's adopted Facebook Protocol and reporting any issues to the appropriate meeting of the Council.

Dog Bag Dispenser

To inspect the Dog Bin Dispenser on the Village Green on a regular basis (no less than once a week) to ensure it is in good working order and refill if necessary.
To inform the Clerk if a supply of new bags are needed and make arrangements for their collection/delivery with the Clerk.

Dog Bin reporting

To act as lead contact for those reporting problems or issues relating to dog bins within the parish.
To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at Lewes District Council (LDC). Subsequently, if possible, report the actions undertaken, or to be undertaken ie by LDC, back to the person raising the issue.
To update the Council on all such reports at the next Council meeting as part of the Members Update Item.

Fly Tipping Reporting

To act as lead contact for those reporting problems or issues relating to fly tipping within the parish.
To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at Lewes District Council (LDC). Subsequently, if possible, report the actions undertaken, or to be undertaken i.e. by LDC, back to the person raising the issue.
To update the Council on any fly tipping issues at the next Council meeting as part of the Members Update Item.

Grit Bin Reporting

To act as lead contact for those reporting problems or issues relating to grit bins within the parish and inspect them before the winter to ensure they are in good condition and full.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at Lewes District Council (LDC). Subsequently, if possible, report the actions undertaken, or to be undertaken i.e. by LDC, back to the person raising the issue.

To update the Council on any issues relating to grit bins at the next Council meeting as part of the Members Update Item.

Litter Clearance

To act as lead contact for those reporting problems or issues relating to litter within the parish.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at Lewes District Council (LDC). Subsequently, if possible, report the actions undertaken, or to be undertaken ie by LDC, back to the person raising the issue.

To undertake periodic litter inspections of the key parts of the village including The Hollow Play Area and the Village Green and arrange for appropriate clearance of litter if necessary.

To update the Council on any litter issues at the next Council meeting as part of the Members Update Item.

Newsletter & Fliers Preparation

To prepare the Parish Council's twice yearly newsletter and occasional fliers, as directed by the Parish Council. Circulating a request for articles and issues for inclusion in the newsletter, reporting these to the Council and then preparing an initial draft and presenting this to the appropriate meeting of the Council. Preparing a final master, incorporating any changes agreed by the Parish Council and sending this to the Parish Clerk to arrange printing and placement on the Parish Council's website.

Circulation to all households in the parish is undertaken by all Councillors.

Notice Board Maintenance

To act as lead contact for those reporting problems or issues relating to the Parish Council's notice boards and periodically inspect them to ensure they are in good condition and working order.

To, if appropriate, undertake any necessary action and inform the Parish Clerk if materials are needed and make arrangements for their collection/delivery with the Clerk.

To update the Council on any issues relating to the Parish Council's notice boards at the next Council meeting as part of the Members Update Item.

Planning Applications Coordinator

To act as lead contact for those reporting problems or issues relating to planning within the Parish.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.

To update the Council on any planning issues at the next Council meeting as part of the Members Update Item.

Play Area Checks

To undertake (at least monthly), in liaison with other nominated Councillors checks on the play area at The Hollow, completing the Play Area Check List. To, if appropriate, undertake any necessary action and report any urgent issues to the Parish Clerk to initiate action.

To update the Council on any play area issues at the next Council meeting as part of the Members Update Item.

Rights of Way and Twittens

To act as lead contact for those reporting problems or issues relating to rights of way and twittens within the parish.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.

To update the Council on any issues relating to rights of way and twittens at the next Council meeting as part of the Members Update Item.

Road Cleansing Reporting

To act as lead contact for those reporting problems or issues relating to road cleansing within the parish.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at Lewes District Council (LDC). Subsequently, if possible, report the actions undertaken, or to be undertaken ie by LDC, back to the person raising the issue.

To update the Council on any litter issues at the next Council meeting as part of the Members Update Item.

Roads & Highways Maintenance Reporting

To act as lead contact for those reporting problems or issues relating to roads and highways within the Parish.

To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.

To update the Council on any roads and highway issues at the next Council meeting as part of the Members Update Item.

<p>Street Lighting & Maintenance Reporting</p> <p>To act as lead contact for those reporting problems or issues relating to street lighting within the Parish.</p> <p>To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.</p> <p>To update the Council on any street lighting issues at the next Council meeting as part of the Members Update Item.</p>
<p>Tree Officer</p> <p>To act as lead contact for those reporting problems or issues relating to trees within the parish.</p> <p>To, if appropriate, investigate and undertake any necessary action, or report the issue to the relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.</p> <p>To update the Council on any issues relating to trees at the next Council meeting as part of the Members Update Item.</p>
<p>Village Maintenance</p> <p>To act as lead contact for those reporting problems or issues relating to the maintenance of Parish Council assets or responsibilities within the parish.</p> <p>To, if appropriate, investigate and undertake any necessary action, or report the issue to the Parish Clerk or relevant officer(s) at the responsible local authority or agency. Subsequently, if possible, report the actions undertaken, or to be undertaken by them, back to the person raising the issue.</p> <p>To update the Council on any issues relating to maintenance at the next Council meeting as part of the Members Update Item.</p>
<p>Website Content & Management</p> <p>To consider ways of improving and updating the Parish Council’s website and reporting these to the appropriate meeting of the Council. To pursue and undertake the updating of the website as agreed by the Parish Council, in liaison with the Parish Clerk who is responsible for the updating of the agenda, reports, minutes and other general administrative information on the website.</p>

The allocation of the above responsibilities within the Council is outlined in the separate South Heighton Parish Council document ‘Roles of Councillors for the Municipal Year 20xx-xx’ (where ‘xx-xx’ equals the current municipal year).