Salt and Enson Parish Council

Councillor and Officer Roles & Responsibilities Policy

Separation of Governance and Administration

1. Purpose of this Policy

This policy sets out the clear distinction between the role of elected parish councillors and the administrative responsibilities of the Clerk and Responsible Financial Officer (RFO).

The purpose of this policy is to:

- Ensure lawful and effective governance
- Protect the integrity of council decision-making
- Maintain appropriate professional boundaries
- Safeguard the council from legal, financial, and reputational risk

2. Legal Framework

Salt and Enson Parish Council operates within the statutory framework established by, but not limited to:

- Local Government Act 1972
- Accounts and Audit Regulations 2015
- Employment legislation
- The Council's Standing Orders and Financial Regulations

Under the Local Government Act 1972, the Clerk is the Proper Officer of the Council. The Responsible Financial Officer holds specific statutory responsibility for financial administration and internal controls.

3. Role of Parish Councillors

Parish councillors are elected members whose primary role is governance, not administration.

Councillors are responsible for:

- Representing the interests of residents
- Setting the strategic direction of the council
- Establishing policies and priorities
- Making lawful decisions at properly convened meetings

- Approving budgets and monitoring expenditure
- Holding the Clerk and RFO to account

Councillors act collectively as a corporate body. Individual councillors have no authority to act independently unless formally delegated by resolution of the Council.

4. Role of the Chairman

The Chairman (or Chair of the Council) is elected by the Council and has the following responsibilities:

- To preside over council meetings in accordance with the Council's Standing Orders
- To ensure that meetings are conducted in a fair, orderly, and lawful manner
- To facilitate constructive discussion and decision-making
- To uphold the Council's Code of Conduct
- To act as the official representative of the Council for ceremonial and civic functions
- To support and provide guidance to councillors on procedural matters without becoming involved in day-to-day administration
- To work in partnership with the Clerk to ensure decisions are implemented correctly

The Chairman must maintain neutrality in administration and must not instruct the Clerk outside of properly convened meetings or delegated authority.

5. Role of the Clerk

The Clerk:

- Is the Proper Officer of the Council
- Provides professional and impartial advice
- Ensures compliance with legislation and statutory duties
- Implements decisions made by the Council
- Manages day-to-day administration
- Prepares agendas and minutes
- Manages correspondence
- Maintains council records

The Clerk is an employee of the Council and reports to the Council as a corporate body, not to individual councillors or the Chairman.

6. Role of the Responsible Financial Officer (RFO)

The RFO:

- Has statutory responsibility for the proper administration of the Council's financial affairs
- Ensures appropriate internal controls are in place
- Manages budgeting, accounting, and financial reporting
- Oversees payment processes in accordance with Financial Regulations

No councillor may authorise expenditure, issue financial instructions, or interfere with financial administration unless formally delegated by the Council.

7. Separation of Governance and Administration

To ensure effective governance:

Councillors must not:

- Direct or instruct the Clerk outside of formal council meetings
- Involve themselves in day-to-day administrative tasks
- Interfere in staff management or operational matters
- Attempt to independently commission work or authorise spending
- Contact contractors or third parties on behalf of the Council without authority

Councillors may:

- Raise matters for consideration at meetings
- Request information through appropriate channels
- Participate in properly constituted committees or working groups
- Exercise delegated authority where formally resolved

8. Employment Matters

The Clerk is an employee of Salt and Enson Parish Council. Employment matters:

- Must be handled collectively by the Council or a properly constituted committee
- Must follow appropriate employment law and procedures
- Must not involve individual councillors acting independently

Failure to observe this may expose the Council to employment tribunal claims and legal liability.

9. Risks of Non-Compliance

Failure to maintain appropriate boundaries may result in:

- Breach of statutory duties
- Financial irregularities
- Reputational damage
- Internal conflict
- Legal challenge
- Breakdown of effective governance

10. Review

This policy will be reviewed periodically and in line with legislative changes or governance best practice.

11. Adoption

This policy was adopted by Salt and Enson Parish Council on:

Date: 2nd September 2027