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## **Roles & Responsibilities of a Parish Council**

The following roles are required in law to run a Parish/Town Council

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## **THE COUNCIL (CORPORATE BODY)**

***(Local Government Act (LGA) 1972, s.14  
Constitution and powers of parish council)***

### **Role;**

Corporate Body, which is a legal entity separate from that of its members (councillors) and are accountable to their electorate (residents), the auditors and ultimately the courts. It can own land, enter into contracts and be subject to court proceeding.

### **Responsibilities;**

- As a whole body, for policy and a variety of decisions on issues that affect the local community;
- Has the powers to support, provide, maintain and create some facilities, or they can contribute towards their provision by others. This includes but not limited to: neighbourhood plans, guardianship of common land, public toilets, allotments, litter, community centres, seats and shelters, safety, planning, playing fields, cemeteries, war memorials.
- Standing orders may be made for the basic arrangements relating to the

## **THE CLERK**

***(LGA 1972, s112 Appointment of staff)***

### **Role;**

The Clerk is an independent and objective servant of the council, who takes instructions from the corporate body and must recognise that the council is responsible for all decisions; they implement policies determined by the Council. They are usually the Proper Officer of the Council and as such is under a statutory duty to carry out all the functions, and in particular to serve or issue all the notifications required by law of a local authority's Proper Officer.

### **Responsibilities;**

- Head of administration, internal management and organisation of the council;
- Advise council, and Councillors, on governance, ethical and procedural matters and can make suggestions or put forward objective views to council as part of its decision-making process.
- Ensure that the Council, as a whole, conducts its business in accordance with the law;

conduct of meetings and making decisions.

- May appoint committees.

### **Duty ;**

- Must hold an annual meeting in every year and hold at least three other (also known as ordinary) meeting during the year.
- Must appoint such officers as it considers necessary for proper discharge of its functions .
- Must to appoint a Chair .
- Must protect the health, safety and welfare of their employees and other people who might be affected by their business .
- Must levy or issue a precept .
- Must exercise tight financial controls in respect of their finances and accounts and are required to submit yearly accounts to be audited by an external auditor appointed by the Audit Commission.

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## **COUNCILLORS (MEMBERS)**

*(LGA 1972, s.16 Parish councillors)*

### **Role;**

They must be over 18 and a qualifying citizen of the Commonwealth, the European Community or the Republic of Ireland. They represent the views and concerns of the residents of the parish to the parish council itself and, through it, to the district or unitary authority.

### **Responsibilities;**

- Ensure that the Council's obligations for Risk Assessment are properly met;
- Prepare agendas for meeting Council and Committees;
- Principle duties and responsibilities are set out in job description and contract of employment.

### **Duty;**

- The Clerk to the Council is the Proper Officer of the Council 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;
- Has a statutory requirement to sign the summons of a council's meetings, stating the proposed business to be transacted.

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## **CHAIRMAN**

*(LGA 1972, s.15 Chairman and vice-chairman of parish council)*

### **Role;**

The Chair or Member presiding over a meeting of a council is required, by common law, to regulate the conduct of a meeting and preserve its order. Orderly conduct and keeping good order is key to ensuring that business is completed.

### **Responsibilities;**

- To determine that the meeting is properly constituted and that a quorum is present;

- To determine council policy and provide community leadership;
- To attend meetings and correspond with the Clerk;
- To monitor and review council performance in delivering services;
- To represent the council externally however, do not have or cannot be given the powers to make decisions on behalf of the parish council;
- To preserve order in the conduct of those present;
- To confine discussion within the scope of the meeting and reaso limits to time;
- To formulate for discussion and decision questions which have been moved for the consideration of the meeting;
- To decide points of order and other incidental questions which require decision at the time;

### **Duties;**

- Must sign a declaration of acceptance of office once elected.
- Must abide by the rules that apply to the disclosure of some business or financial interests (disclosable pecuniary interests) and any other disclosable interests that are referred to in council's code of conduct.
- To approve the draft of the minutes or other record of proceedings (with the consent of the meeting);
- To adjourn the meeting when circumstances justify or require that course; and
- To declare the meeting closed when its business has been completed

### **Duty;**

- If present at a meeting, must preside and take care that the proceedings are conducted in a proper manner;
- Power to convene a meeting of the council at any time, giving three clear days' notice.
- Power of the casting vote in election of new chairman which, in the event of a deadline, must be used.

## **RESPONSIBLE FINANCIAL OFFICER (RFO)**

***(LGA 1972, s 151 Financial administration)***

### **Role;**

To ensure that the accounts and records are maintained in accordance with proper practices referred to in statute and are kept up to date .

**Responsibilities;**

- Carry out all the statutory functions, ensuring the implementation of, and compliance with the Council's financial regulations;
- Determine the form and content of the accounts and supporting records, subject to any directions from the council and in compliance with regulation.
- Advise the Council on the adequacy of, and changes to, its Financial Regulations, including all internal controls and procedures to manage financial risk;
- Ensure that all VAT returns and other HMRC deductions are submitted correctly and on time;
- Council payroll, payment of wages, salaries, and deductions, submission of data to HMRC or via the use of an approved outsourced supplier.
- Principle duties and responsibilities are set out in job description and contract of employment.

**Duty;**

- Must ensure that the accounts are made up and ready for audit as soon as practicable; not later than six months after 31 March;
  - Must prepare an annual governance statement in accordance with proper practices in relation to accounts.
  - Must provide proper opportunity during the year for the exercise of electors' rights in accordance with the law.
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**CODE OF CONDUCT**

Under the Localism Act 2011, and the relevant authorities (Disclosable Pecuniary Interests) Regulation 2012, all Councillors are required to register DPI. Councillors DPI are registered with the Parish Council and the monitoring officer of Milton Keynes Council. Refer to About Us-Meet Your Councillors for their individual Councillors Disclosable Pecuniary Interests.

**Councillors must always remember that they represent the Council as a corporate body.**

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