

What the Clerk does

Item	Purpose
	The Clerk (sometimes known as the Proper Officer) is a legal appointment and is a paid post. Their role is to support councillors in their decision making. This means that they provide independent and unbiased legal and other advice before councillors make their decisions. This same advice is also available to residents of the parish.
Legal basis	The Local Government Act 1972 (Section 112) requires a parish council to appoint a Clerk.
Importance to you	Your Code of Conduct (Section 2.14) states that when reaching decisions on any matter, you must have regard to any relevant advice provided by the Clerk. The Clerk is also responsible for carrying out the lawful instructions of the council (but not of individual councillors).
Key Points	<p>The Clerk's Job Description is attached to this Quick Guide.</p> <p>Their role now also includes that of Responsible Financial officer and Data Protection Officer.</p> <p>Apart from providing advice, the Clerk is the chief administrator of the parish council. They do not take part in any voting, and cannot advise councillors on how to vote.</p> <p>The Clerk works closely with the Chair and Vice Chair to manage the council's affairs, but their time is available to you as well. Please be aware of time constraints when emailing, phoning or asking for advice and support.</p> <p>If you want the council to discuss an issue or have an item included on the agenda, speak to the Clerk in the first instance. Similarly, if you want to take on project work in the parish, the Clerk is best placed to advise you on how to achieve a successful outcome.</p> <p>The Clerk has access to professional advisers (principally the Cornwall Association of Local Councils) if higher level advice is needed.</p>

Notes	
Accessibility	If you need this document in paper format, please contact the Clerk's Office
Reference	CD CQG Clerk
Prepared	14 Mar 2021

Job Description – Clerk to the Council

(sometimes called the Parish Clerk or the Proper Officer)

Purpose of the Role

The Clerk to the Council will be the Proper Officer of the Council and as such will carry out all statutory duties commensurate to the role, including the serving or issuing of all notifications required by law of a local authority's Proper Officer.

The Clerk will occupy an advisory role to the Council, assisting in the formation of policies to be followed in respect of the Authority's activities and to ensure that all relevant information is made available to enable the Council to form effective judgements. They will be responsible for carrying out the lawful instruction of the Council.

The Clerk is accountable to the Council for the effective management of its resources, including ensuring that adequate insurance cover is maintained. They will make recommendations to the Council regarding the realisation of attaining maximum benefit from those assets.

Specific Responsibilities

General

1. To ensure that the Council acts lawfully in all its activities and dealings.
2. To act as the contact point for the Council, including receipt of correspondence and documentation; telephone calls; emails; etc., and to deal in accordance with the known policy of the Council, or to bring to the attention of the Council.
3. To issue correspondence as a result of the instructions of, or the known policy of, the Council.
4. To study reports and other data on activities of the Council and on matters bearing on those activities. Where appropriate, to discuss such matters with administrators and specialists in particular fields, and to report findings to the Council.
5. To draw up both on their own initiative and as a result of suggestions by Councillors proposals for consideration by the Council and to advise on practicality and costs, and the likely effects of specified courses of action.
6. To monitor the policies of the Council to ensure they are achieving the desired result and, where appropriate, suggest modifications.
7. To act as a representative of the Council as required.
8. To prepare, in consultation with the Chairman, press releases about activities of, or decisions of the Council.

Financial

9. To monitor the Council's financial position and advise the Council accordingly.
10. In conjunction with or as the Responsible Financial Officer to balance the Council's accounts and prepare records for audit purposes and VAT.

11. To manage effectively the Council's assets, including ensuring adequate insurance cover is provided.
12. To receive invoices for goods and services to be paid for by the Council and to ensure such accounts are met within 30 days of receipt of such request for payment.
13. To issue, promptly, invoices on behalf of the Council for goods and services to ensure payment is received.

Meeting Responsibilities

14. To prepare agendas for meetings of the Council and its Committees, in conjunction with appropriate Members, and to issue summonses accordingly, including placing notices of the Meetings in accordance with the Council's Standing Orders.
15. To attend and prepare Minutes (for approval) of Meetings of the Council and its Committees, as required.
16. To issue Notices and prepare Agendas and Minutes for the Parish Meeting. To attend the Parish Meeting and to implement the decisions made at the Meetings.

Training/Representation

17. To attend training courses on the work and role of the Clerk as required by the Council.
18. To work towards the achievement of the status of Qualified Clerk as a minimum requirement for effectiveness in the position of Clerk to the Council
19. To attend external meetings as a representative of the Council as required.