

**UNIT 3**

**Recruitment Manual – step by step guide**

**THE POST OF CLERK TO THE COUNCIL**

* 1. **Why the Council needs a Clerk (sometimes referred to as Chief Executive Officer/Manager/etc)**

The council’s power to employ people is contained in section 112 of the Local Government Act 1972. A council may take on staff to help them to exercise their statutory functions. Legislation has committed much work and many duties to an unspecified ‘proper officer’ of a council. It refers to the appropriate officer for the relevant function. In a local council the proper officer will normally be the Clerk whereas in other types of authorities there will be several department heads who are the proper officer for the purposes of their respective departments.

The title ‘Clerk’ for a local council’s chief executive officer is honourable, familiar and short. In a town, the clerk may be called a town clerk.

The clerk’s role is key to the operation of the council and a competent clerk underpins a good council. Without a ‘Clerk to the Council’ in place, the council will inevitably find it difficult, if not impossible, to meet its legal obligations and to manage staff and deliver services effectively.

The clerk is sometimes a council’s only employee. Where a council has more than one employee, the clerk is the ultimate line manager for all other staff. The local council clerk is the ‘engine’ of an effective local council. They are its principal executive and adviser and, for most smaller local councils, the officer responsible for the administration of its financial affairs.

As with any job, the first questions to ask are what work will the person undertake and what will happen if the job is not filled?

The councillor’s main role is to determine the facilities and services for local people, set policy and provide a budget whilst monitoring the effective implementation of those services and policies by the clerk and other staff. The council must be confident that officers are, at all times, independent, objective and professional.

This does not mean that the council needs to invest always in a full-time post and the required hours of work are best judged locally in the light of what is done by the council and the services provided.

* 1. **What are the key issues in the job analysis for a Clerk?**

The aim of the job analysis should be to answer the following questions:-

* what is the purpose of the job?
* what is the post holder expected to do?
* how is the job to be performed?
* how could these functions be performed without a Clerk and what would be the consequences?
* what level of responsibility and decision making is required?
* what are the competencies required?
* what skills, knowledge and experience are required?
* if there is an existing post, does it need to be reviewed and re-organised when it has fallen vacant?
* how many hours a week are needed?

Once these fundamentals have been considered, then the council should review or create a job description as explained below and, in more detail, later in the Manual.

* 1. **What does the Clerk do?**

The job description created for the post of ‘Clerk to the Council’ will list the duties in detail but a useful summary to start from is that the post will:-

* ensure that the council conducts its business lawfully
* administer all the council's paperwork and governance (including policies)
* ensure that meeting papers are properly prepared and the public is aware of meeting times
* responsible for the financial affairs of the council
* communicate the council's decisions
* oversee the implementation of projects
* manage and leads the staff
* keep property registers and other legal documents
* keep up to date by training/qualification
* well-being of staff
* health and safety of workplaces and council premises
* public engagement, transparency and accountability

It should be recognised and may indeed be useful to state that the job description cannot cover every eventuality and that some flexibility and adaptability will be required in the job role to meet new and changing needs. It may also be useful to clarify the Clerk versus Councillor responsibilities and working arrangements in a suitable protocol.

Clearly therefore whilst the detailed duties and the need for a full or part time post may vary from council to council depending on the services provided and their local priorities there are a number of key responsibilities which, without a Clerk to the Council in post, would make it very difficult for the council to meet its responsibilities and provide worthwhile services and facilities for their community.

It must be acknowledged that this post is the council’s key executive, and, in most cases, the successful post holder will need very much more than just a few administrative skills and needs to be recognised as a managerial role as will be seen later in the manual when the preparation of a person specification is discussed.

Other considerations will be the correct rate of pay and other key terms of employment.

Underwriting all of this is the need for a sense of public duty inherent in both Councillors and Officers i.e. of wanting to help others in the community.

* 1. **Further Help**

If you require training, help or any other assistance with your recruitment and selection processes or have any questions on anything in the Recruitment Manual please email your county association.

Updated September 2022