

RISINGHURST AND SANDHILLS PARISH COUNCIL COUNCILLORS HANDBOOK



Figure 1 Map of the Parish of Rivinghurst and Sandhills (blue outline)



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Introduction:

Welcome to the *Handbook for Risinghurst and Sandhills Parish Council*. This handbook has been designed to provide some background information for Parish Councillors, elected and co-opted, outlining their role and duties. It is also to provide information that can be given to the public to help them better understand the role of the Council, the Councillors, and the Parish Clerk/Responsible Finance Officer (RFO).

The contents have been collated from several sources, including in-house policies and documents as well as information available online and advice from the Oxfordshire Association for Local Council (OALC) and Society for Local Council Parish Clerks (SLCC).

Our grateful thanks to Tim Cann (PSLCC) who collated the original *Handbook for Old Marston Parish Council* and kindly shared his work to other Parishes in Oxfordshire.

This is not a definitive document and should be read in conjunction with the other official documents referred to in this handbook, many of which are published on the website.

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Risinghurst and Sandhills Parish Council

The Parish boundary includes part of Wood Farm and provides facilities for residents at the Risinghurst playing fields with a woodland, sport pavilion and Olive Jacks Memorial Field play area, along with the Downside Dip play area, Richards Way ballcourt, allotments and small woodland. The Parish Council helps residents to have a voice about local issues like planning applications and development. The Parish Council runs an annual Fireworks event and summer fete at the playing field.

The Role of the Parish Council:

Parish Councils have existed as part of the democratic system since the 1894 Local Government Act. There were 10,250 parishes in 2018 and most have a Parish Council.

Risinghurst and Sandhills Parish Council is a local authority that makes decisions on behalf of people in Risinghurst and Sandhills. The Parish or Town Council is the first tier of local government with a limited range of powers and duties, and always relates to a larger local authority that may be either a District, Borough, County or Unitary authority depending on the location. Risinghurst and Sandhills Parish Council relates directly to Oxford City Council (called the “principle authority”) and Oxfordshire County Council is above it in the hierarchy. As it is the authority closest to the people, the Parish Council is often the first place that people go with concerns or ideas. For this reason, it is a vital part of the community. It meets once a month except August, with a committee and working groups that meet at various times throughout the year.

The Responsibility of the Parish Council

The Council is a corporate body and is responsible for raising the precept and spending public money lawfully and for the community. The Council represents, serves and makes decisions for the local community. It can only do what is permitted or implied in law, is responsible for services to the community and should have policies in place. This includes policies relating to legislation, for example, the General Data Protection Regulations 2018, as well as agreeing and following Standing Orders, a Code of Conduct and Financial Regulations. The Council has a legal duty to elect a Chairperson, set the precept, use statutory powers as appropriate, to employ a Parish Clerk/Responsible Finance Officer (RFO), to publish annual accounts, and to hold at least 3 meetings plus an annual meeting each year.

Decisions and Influence of the Parish Council

A Parish Council makes various decisions on issues that affect the local community, and a list of the legal powers available to Parish Councils is below. The Parish Council has limited powers to make decisions, but it works in partnerships with services and authorities, and can negotiate with and influence those organisations that *do* make the final decisions. It is a statutory consultee on planning applications and seeks to respond to every consultation where possible and support community awareness and representation on larger developments. The Parish Council will receive section 106 and community infrastructure levy (CIL) funds and can apply for grants to spend for the benefit of the local community.

The Parish owns land and manages it for the benefit of residents and seeks to improve the local area with small grants for community groups and events.

Transparency of the Parish Council

To ensure public confidence, all Parish Council decisions must be transparent and comply with statutory requirements. Residents should be made aware of upcoming decisions with the opportunity to participate if they wish. Therefore, the agendas are displayed in advance on public noticeboards and the website includes the agendas, minutes, financial information and policies and procedures, details of Parish Councillors and the facilities. An internal and external annual audit of both the annual accounts and the governance procedures is undertaken and published.

Duties and Powers of Councils

Risinghurst and Sandhills Parish Council functions within a legal framework and must not act beyond its legal powers. Some of these are listed below and each has corresponding legislation. Oxford City Council also has statutory duties such as collecting household waste, planning, parking, sport and leisure facilities, elections, housing and environmental health. Oxfordshire County Council is responsible for education, libraries, museums, roads, social care for children and adults, registration of births, deaths and marriage.

A duty is something a local authority should provide or do in law while a power is something it can do if it wishes. As statutory bodies, each Council decides what is needed for the community they serve.

Function	Powers and Duties
Allotments	Duty to provide allotments; power to improve & adapt land for allotments, and to let grazing rights
Burial grounds, cemeteries, crematoria and closed churchyards	Power to acquire & maintain; to maintain monuments & memorials; power to contribute towards the expenses of cemeteries; duty to keep cemeteries in good order and repair and follow <i>Local Authorities Cemeteries Order 1977</i> .
Bus Shelters	Power to provide and maintain shelters.
By-laws	Power to make by-laws with regard to pleasure grounds; cycle parks; baths & washhouses. Open spaces, burial grounds; mortuaries and post-mortem rooms. There is a bye-law for Risinghurst Playing Fields.
Common pastureland	Power to provide common pasture.
Community centres	Power to provide and equip buildings for use of athletic or recreational clubs.
Crime prevention	Powers to install & maintain equipment, to establish & maintain a scheme for the detection/ prevention of crime.
Drainage	Power to deal with ponds and ditches.
Entertainment and the arts, support of	Provision to provide entertainment & support of the arts.
Highways	Power to maintain footpaths & bridle-ways; to light roads & public places; parking places for bicycles, motor-cycles & other vehicles; to make agreements to dedicate & widen highways, provide roadside seats and shelters; consent to or complain about ending the maintenance of highway at public expense, stopping up or diversion of highway, or unlawful encroachment on roadside wastes; to provide traffic signs & other devices to warn of danger; plant and maintain trees along roads and lay out grass verges
Land and open spaces	Power to acquire land by agreement; Power to appropriate/dispose of land, and to maintain open spaces.
Litter	Provision of bins.
Function	Powers and Duties
Lotteries	Powers to promote lotteries.

Public buildings and village halls	Power to provide buildings for public meetings and assemblies.
Public toilets	Power to provide public conveniences.
Town and Country Planning	Right to be notified of planning applications.
Tourism	Power to encourage visitors and provide conference and other facilities.
Traffic calming	Power to contribute financially to traffic calming schemes.
Transport	Powers in relation to car-sharing schemes, taxi fare concessions and information about transport; Powers to make grants for bus services.
War memorials	Power to maintain, repair, protect and alter war memorials.
Water supply	Power to utilise wells, springs or streams and to provide facilities for getting water from them.

Parish Council Income and Budget

The Parish Council is funded mostly from an annual local tax called a precept, which is collected on its behalf by Oxford City Council. It can also raise funds through grants from other organisations and from facility hire charges for sports pitches and allotments.

The budget cycle starts in the Autumn, when the Parish Clerk/Responsible Financial Officer (RFO) will draft a budget that is based on the previous year expenditure, income and any future projects proposed by the Parish Council. This is then presented to the Finance and HR committee to review and refine, then recommendations are presented to the full Council for approval in December.

The government caps the amount that the City and County Councils can raise through taxation, but this does not apply to Parish Councils currently. However, restraint is expected, and a Council should be able to explain any precept increase by the projects it has identified in the budget.

Once a precept has been approved by the Parish Council, the Parish Clerk/RFO informs Oxford City Council by mid-January, and it is then added to the Council Tax bills for April. The City Council collects the precept on behalf of the Parish Council and pays it in two instalments, in April and September.

Precept: Tax base and 'Band D Equivalent'.

Part of the precept calculation is called the 'Band D equivalent'. Band D is the middle band of Council Tax and is supposed to represent the amount of Council Tax paid on an average property in the area. Using the 'Band D equivalent' provides a measure which allows the precepts among Councils of different sizes to be compared. Oxford City Council provide the estimated number of 'Band D equivalent' properties in the tax base each year for the precept setting exercise. The precept amount that the Parish Council requests is then divided by the number of houses in the tax base (number of eligible properties) to get the 'Band D equivalent'.

Becoming a Parish Councillor

You could help by representing people, finding out what the community needs, decision making and monitoring the services in the public interest. It is an unpaid community leadership role that may take up 2-3 hours per week. The main commitment is to take part in 11 monthly meetings a year.

You can stand as a Parish Councillor if you are:

- a) A British subject or citizen of the European Community,
- b) 18 years of age
- c) Either in the list of electors for that parish or town or has during the whole of the preceding twelve months:
 - i. Occupied land as owner or tenant in it, or
 - ii. Had a principal place of work there, or
 - iii. Resided in or within three miles of it.

You are not eligible if you are the subject of a bankruptcy restrictions order or interim order, within the last five years been convicted of an offence in the UK, the Channel Islands or the Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more, without the option of a fine or are disqualified by order of a court from being a member of a local authority.

Elections: Ordinary elections are held every four years and therefore your term of office would normally be four years. These elections usually coincide with elections for the District or County Councils. Elections are managed by Oxford City Council and nominations must be submitted to them within the published time frame. Candidates must have a proposer and a seconder who appear on the electoral register for the parish.

Casual Vacancy and Co-option: These happen on the Parish Council when a Councillor fails to complete a declaration of acceptance of office within the proper time, resigns, dies, ceases to be qualified or becomes disqualified, or fails to attend meetings for 6 months. When this happens, the Parish Clerk notifies Oxford City Council, and a casual vacancy is published for 2 weeks (*Local Government Act 1972 s 87(2)*). This is to make electors aware that they can ask for an election. At least 10 electors from the same ward should do this in writing by the deadline, and then an election is held.

If no election is called or there are still vacancies left after the election, the Parish Council has the power to fill a casual vacancy by co-option. The Parish Council will advertise the vacancy to invite 'expressions of interest' by a specified date from anyone in the parish who is eligible to stand as a Parish Councillor.

Process for Co-option:

Please contact the Parish Clerk to chat through any questions or concerns that you have, and for further information and application form. She can also put you in touch with a Parish Councillor to give you their views on what it means to be a Parish Councillor, if you would find that helpful. The process is:

1. Return a completed and signed application form to the Parish Clerk. This includes your confirmation that you are eligible and not disqualified (*LGA 1972 sections 79, 80*).
2. This will be circulated to be considered by Parish Councillors at the next available Parish Council meeting, and you will be invited to attend the meeting.
3. The Chairperson will invite you to speak to Councillors for 2-3 minutes, and you may be asked some follow up questions.
4. A debate and then a vote will take place on your nomination, which must achieve a majority vote. You will be told the outcome immediately.
5. Successful candidates must complete a declaration of office and declaration of pecuniary interests and will be able to participate and vote in the meeting thereafter.
6. The Parish Clerk notifies Oxford City Council of the appointment and submits the information required for the register of interests.

Parish Council Meetings

The Parish Council meets at 7.00pm on the third Thursday of each month, except in August. A calendar for the year ahead is published each May, with meetings planned on a cycle of a set night/week of each month. All formal Council meetings including committee meetings, must be open to the public to observe and have a published agenda.

However, informal meetings like working groups and workshops do not need to be held in public, but they report back to the full Council meeting for a decision. Meetings can be recorded, however, if doing so, it must be made clear to all present and arrangements made should anyone wish not to be recorded.

Public Participation Session

Before each monthly Parish Council meeting, residents are welcome to attend and may address the Parish Council on council business during the public participation item. Standing Orders states that this is limited to 5 minutes and the total time for public participation is 20 minutes. The session should then be closed, and the Council meeting formally opened, to allow time for the items on the agenda to be dealt with. There is no entitlement to speak at any other time during the meeting, except at the Chairperson's discretion. There are three options for a response the during public participations session:

1. A verbal answer from either the Chairperson, another Parish Councillor, or the Parish Clerk.
2. Delegated to the Parish Clerk to find out more and respond to the resident at a later date.
3. The issue can be included in the following agenda for debate.

Following this item, members of the public are welcome to stay and respectfully listen to the formal meeting as witnesses but should be reminded that only elected Parish Councillors are entitled to debate and vote on the agenda items of Council business.

How the session is managed will reflect the individual style of the Chairperson. If the occasional contribution from the public gallery is allowed, it should be rare, for example, to give a helpful piece of information. Strictly speaking, this includes City and County Councillors, who could use the option to raise issues in public participation and also have also have their own slot on the agenda. The guidelines ensure that everyone can be confident about when they have a right to speak and to be heard.

If the public participation session is popular, Parish Councils should not try and combine two types of meeting into one, as this will prevent the Council business from being properly dealt with during the meeting. Other opportunities should be sought for Parish Councillors to engage with residents at other times using forums, coffee mornings, workshops, consultations and surgeries which are not bound by any legislation and can be flexible about style and procedure.

Public Office and a Parish Councillors' Role and Responsibilities.

Councillors are elected for 4 years to represent the community and respond to its needs, and to represent the Parish Council to the community and to partner organisations. They should attend the formal meetings of the Council each month and engage in debate and votes. Councillors cannot make decisions alone but are part of the corporate body of the Council, which makes decisions together at Council meetings. Councillors have a duty to ensure that the Council's finances are properly managed.

One of the duties of public office is to attend the Parish Council meetings, and a formal summons to meetings is sent to members by the Parish Clerk. If unable to attend, a Parish Councillor should send apologies before the meeting, to be recorded in the minutes. If a Parish Councillor fails to attend any meeting for six consecutive months, they cease to be a member of the authority, unless the Council has formally accepted a reason for the failure to attend for a period.

In holding public office, Councillors have a duty to disclose any personal or pecuniary interest within 28 days of election and to sign an acceptance of office, and to promote and upholding the Code of Conduct for high standards in public life.

The Role of the Chairperson (sometimes called Chairman or Chair according to individual preference)

The Chairperson is elected by the full Council at the beginning of each Council year and signs a declaration of office. They cannot make decisions alone but are part of the corporate decision-making Council. They manage the formal Council meetings and have the responsibility to manage any disruptions; they ensure the meetings comply with the Standing Orders and liaise with the Parish Clerk.

The Chairperson is the public face of the Council in the community. The Chairperson has a duty to use a casting vote in addition to their original vote in the event of a tied vote, and to preside at meetings if they are there. The Chairperson has a duty to call extra-ordinary meetings if requested to, as well as the Annual Council and Parish meetings. The Chairperson will sign the minutes as an accurate record, once they have been agreed in a Council meeting. The Annual Return is also signed by the Chairperson, once it is agreed by the Council. This role may line manage the Parish Clerk as part of the Finance and HR Committee, but does not have individual authority over the Clerk, rather, they work in partnership.

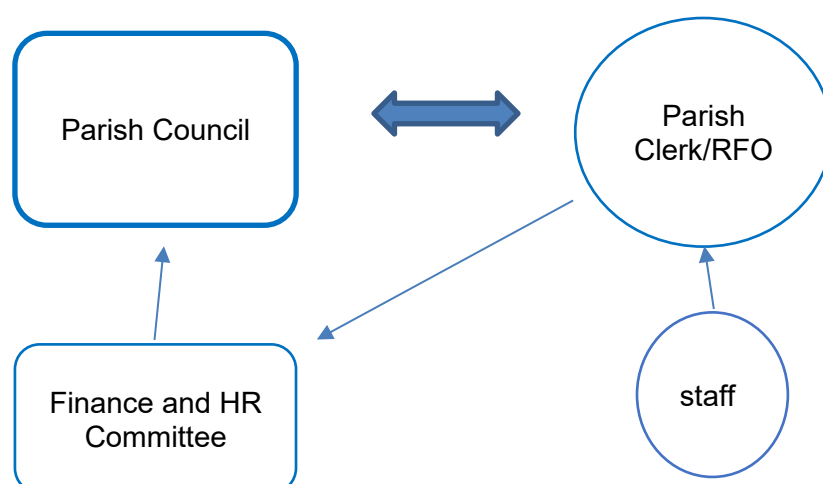
The Parish Council as an Employer

As an employer, the Council has a duty of care to its staff. If supported by all Councillors and encouraged to undertake training, they will enable the Council to achieve its aims and objectives. This brings responsibilities under Employment Law, HR, HMRC and PAYE and training is available through the Oxfordshire Association for Local Councils (OALC) on employment matters and policy advice.

Many small Parish Councils employ just one member of staff - the combined Parish Clerk/RFO. Risinghurst and Sandhills Parish Council currently employs a Parish Clerk/RFO, Groundsman and a seasonal Cleaner, along with using regular contractors for grass cutting, tree work, drainage and so on. It also encourages volunteering to look after the facilities. Larger Councils will separate the roles of Parish Clerk and RFO, and may also employ deputy Clerks, and other roles for the grounds team, building management and caretaking, running markets, Rangers or Wardens and events or community Outreach Co-ordinators.

The Council as a whole is the employer, not individual Councillors, and a Finance and HR committee has been appointed for this purpose. The committee delegate some tasks to members e.g. daily line management of the Clerk for annual and sick leave is delegated to either the Committee chairperson, or the Chairperson of the Parish Council. The committee appoints members to undertake the annual appraisal of the Clerk and report back to the following committee meeting.

The Parish Clerk manages all other staff and undertakes their annual appraisals, reporting back to the Finance and HR committee on all staffing issues.



The Role of the Parish Clerk

In the legislation, this role is often called the “proper officer” of the Council, with the legal duty to write, sign and send out the agenda and summons to Councillors, record the minutes of meetings and to witness the signing of the declarations of office and interests. The role includes giving advice to the Council on legislation and good practice.

The Parish Clerk is accountable to the Council as a corporate body, and no individual Councillors can give them orders or instructions. The Parish Clerk has a combined role as the Responsible Finance Officer (RFO).

The RFO Role

This role is to manage the Councils’ finances. The RFO signs the annual accounts, supports the internal controls and maintains the set standards using Financial Regulations, which are in line with legislation. This includes ensuring adequate financial risk management and provision of insurance. The RFO manages receipts and payments and prepares regular financial statements and information and reports to the Council advising them on the budgetary control and expenditure. The role includes supporting the internal and external audit process and drafting the budget. These actions demonstrate the Council’s accountability and transparency in the handling of public money.

The current job description for the Parish Clerk/RFO at Risinghurst and Sandhills Parish Council is based on a model contract from the National Association of Local Councils, adapted to the specific requirements of the local situation.

Current Job Description for Parish Clerk/RFO to the Parish Council.

Overall Responsibilities

The Parish Clerk to the Council will be 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. The Parish Clerk will be totally responsible for ensuring that the instructions of the Council in connection with its function as a Local Authority are carried out. The Parish Clerk is expected to advise the Council on, and assist in the formation of, overall policies to be followed in respect of the Authority's activities and in particular to produce all the information required for making effective decisions and to implement constructively all decisions. The person appointed will be accountable to the Council for the effective management of all its resources and will report to them as and when required. The Parish Clerk will be the Responsible Financial Officer (RFO) and responsible for all financial records of the Council and the careful administration of its finances.

Specific Responsibilities

- 1) To ensure that statutory and other provisions governing or affecting the running of the Council are observed.
- 2) To monitor and balance the Council's accounts and prepare records for internal and external audit purposes and VAT.
- 3) To prepare monthly bank reconciliations in accordance with the Accounts and Audit Regulations and submit regular financial reports for the Council. These reports will cover budget monitoring, fund balances, receipts to date, and payment of accounts.

- 4) To prepare the annual budget for approval by the Council and to submit the precept claim to Oxford City Council.
- 5) To liaise with the payroll service for the overall management of payroll, including the local government pension scheme. To ensure prompt payment of PAYE and national insurance to HMRC and sums due to the pension authority monthly.
- 6) To ensure that the Council's obligations for Insurance and Risk Assessment are properly met.
- 7) To maintain the Council's register of property and assets.
- 8) To prepare, in consultation with appropriate members, agendas for meetings of the Council and Committees. To attend such meetings and prepare minutes for approval.
- 9) To attend all meetings of the Council and all meetings of its committees.
- 10) To receive correspondence and documents on behalf of the Council and to deal with the correspondence or documents or bring such items to the attention of the Council. To issue correspondence as a result of instructions of, or the known policy of the Council.
- 11) To provide information and encourage participation for members on training offered by National Association of Local Councils (NALC), Oxfordshire Association of Local Councils (OALC), Oxfordshire County Council or Oxford City Council or other providers.
- 12) To receive and report on invoices for goods and services to be paid for by the Council and to ensure such accounts are met. To issue invoices on behalf of the Council for goods and services and to ensure payment is received.
- 13) 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 produce reports for circulation and discussion by the Council.
- 14) To draw up both on his/her own initiative and as a result of suggestions by Councillors proposals for consideration by the Council and to advise on practicability and likely effects of specific courses of action.
- 15) To supervise any other members of staff as their line manager in keeping with the policies of the Council and to undertake all necessary activities in connection with the management of salaries, conditions of employment and work of other staff.
- 16) Where work is delivered via a self-employed contractor, to monitor the delivery of the work, to invoice and ensure payment is received. To arrange contracts and agree programmes of work as appropriate, and to check insurance and risk assessment and method statements as required.
- 17) To monitor the implemented policies of the Council to ensure they are achieving the desired result and where appropriate suggest modifications.
- 18) To act as the representative of the Council as required.

- 19) To issue notices and prepare agendas and minutes for the Annual Parish Meeting: to attend the assemblies of the Annual Parish Meeting and to implement the decisions made at the assemblies that are agreed by the Council.
 - 20) To act as the Administrator for Risinghurst Playing Fields Charity (CIO) and submit annual accounts to the Charity Commission.
 - 21) To liaise with sports teams for the use of Risinghurst playing fields and pavilion, including invoicing and ensuring payment is received and arrange contracts as appropriate.
 - 22) To publish information on Parish Council meetings on the website with agendas, minutes, all financial information required for transparency, details of elected and co-opted Parish Councillors, Councillor responsibilities and the policies and guidance of the Parish Council.
 - 23) To post on Facebook details of upcoming Parish Council meetings and events, information and items of interest to residents.
 - 24) To prepare, in consultation with the Chairperson, press releases about the activities of, or decisions of, the Council if required.
 - 25) To attend training courses or seminars on the work and role of the Clerk as required by the Council.
 - 26) 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.
 - 27) To continue to acquire the necessary professional knowledge required for the efficient management of the affairs of the Council: Suggested is membership of your professional body The Society of Local Council Clerks.
 - 28) To attend the Conference of the National Association of Local Councils, Society of Local Council Clerks, and other relevant bodies, as a representative of the Council as required.
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Oxford Living Wage

Risinghurst and Sandhills Parish Council resolved in 2020 to commit to the Oxford Living Wage. As a result, any new staff have their salaries set to the nearest point above this rate, relevant to the advisory pay scale.



The Parish Clerk's Relationship with Councillors

The smooth running of the Parish Council depends upon a respectful, harmonious, and positive relationship between the Parish Clerk and the Councillors. It is essential to understand each other's roles. A Councillor should not undertake tasks which are properly those of the Parish Clerk except in an emergency and only then with the authority of the Council. In the same way, it is incorrect for the Parish Clerk to usurp the role of the Councillors by, for example, seeking to impose their views on policy issues on the Council. The Parish Clerk should not forget that they are the employee of the Council and that the Councillors may sometimes make decisions with which they do not agree. Their role is to implement the decisions, regardless of their own personal views. Animosity can arise if Councillors do not understand that the Parish Clerk's loyalty and responsibility is to the Council as a whole, and not to individual Councillors and their views.

Code of Conduct

Risinghurst and Sandhills Parish Council has a duty to promote and maintain high standards of conduct by its members and co-opted members of the Council, in accordance with the Localism Act 2011. A newly elected Councillor has to sign an undertaking, as part of their written declaration of acceptance of office, that they will observe the Parish Council's Code of Conduct. Any breaches of the standards can be reported to the Oxford City Council Monitoring Officer and may result in an investigation.

The Code of Conduct sets out the rules governing the behaviour of Councillors in local authorities across the country. Prospective candidates are advised to read the code published on the website before standing for election, so that they are aware of what will apply to them.

The Code of Conduct is based on the Nolan seven principles of public life:

- **Selflessness:** You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself.
- **Objectivity:** In carrying out public business you must make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.
- **Accountability:** You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate to your office.
- **Openness:** You must be as open as possible about your actions and those of your Council and must be prepared to give reasons for those actions.
- **Honesty and integrity:** You must not place yourself in situations where your honesty and integrity may be questioned, must not behave improperly and must on all occasions avoid the appearance of such behaviour.
- **Leadership:** You must promote and support high standards of conduct when serving in your public post, in particular as characterised by the above requirements, by leadership and example in a way that secures or preserves public confidence.

Declarations of Office and Interests

A signed Declaration of Office must be received by the Parish Clerk before a newly elected member can carry out any duties as a Councillor. This is done either by the annual meeting following a May election, or for co-option at (or soon after) the meeting in which co-option is voted on. Once signed the term of office begins.

In addition, all Councillors must complete a Register of Interests declaration within 28 days of the election, which is published on the Oxford City Council website. Prospective candidates are advised to be aware of what will apply to them and be sure that they are willing to complete the requirements for the register of interests (*Localism Act 2011*, and *The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 (S.I. 2012/1464)*).

If a matter comes before the Parish Council in which a Councillor has a personal, financial or prejudicial interest, this must be declared before the item is discussed and, if necessary, the Councillor will take no part in the discussion or remove themselves from the meeting. Depending on the nature of the interest, the Councillor may not be permitted to vote on the item.

Standing Orders

The Parish Council operates in accordance with its Standing Orders (which deal with financial, legal and contractual requirements) and the other formal policies and procedures laid down from time to time. These are based on local government legislation and enable the Council to take a consistent and properly regulated approach. The Standing Orders are reviewed by the National Association for Local Councils (NALC) on an annual basis, or if legislation changes, and model templates are provided by them to member Parish Councils.

Agendas

Procedural matters such as organising and managing meetings, agendas etc are dealt with in Standing Orders. A Parish Councillor can request for an item to be added to the agenda of a meeting. This is done through the Parish Clerk, who will give advice on the wording and timing of the item. As a courtesy, the Chairperson of the Full Parish Council, or the Chairperson of a committee, will be consulted on draft agendas. However, the final decision on whether an item appears on the agenda rests with the Parish Clerk. Any refusal will be given with a reason.

Financial Regulations

Financial Regulations govern the financial process of Parish Council and may only be amended or varied by a Council resolution. The Parish Council is responsible in law for ensuring that its financial management is adequate and effective and that it has a sound system of financial control which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption.

Policies

The policies for Risinghurst and Sandhills Parish Council are published on the website. Parish Councillors are asked to familiarise themselves with the policies which apply to the staff, Parish Councillors and some apply to members of the public. These include:

- Code of Conduct
- Terms of Reference for Finance and HR committee and Planning Representatives.
- Complaints procedure
- Child Protection and Vulnerable Adults policy.
- Freedom of Information Publication Scheme and Retention of Documents schedule
- Data Protection and the use of Personal Data and Privacy policies.
- Equality Policy
- Health and Safety policy
- Sickness policy
- Disciplinary and Grievance policy
- Dignity at Work policy
- Training policy

Committees

Risinghurst and Sandhills Parish Council has a Finance and HR committee. A committee can only have Parish Councillors as members and will have its own terms of reference setting out its area of operation and functions. The Parish Council's Standing Orders and Financial Regulations also apply to all committees. The committee must be quorate and needs the support of the Parish Clerk for publishing agendas and writing minutes. The supporting documents are for committee members, and other members are not entitled to access them in general. The HR part of the meeting usually excludes any members of the public on the grounds that confidential information may be shared.

Working Groups

These can include Parish Councillors and residents, or members of other organisations. A working group is informal and does not usually need the support of the Parish Clerk, unless specific help is asked for. It has no budget or power to spend but will report to Council and seek approval for any expenditure. This enables a specific topic, or Council facility or service, to be researched further or managed more efficiently without taking up already limited full Council meeting time, and then report back to the Council with recommendations. Once the task is complete, the working group can be dissolved.

Delegated authority

No member of the Council should misrepresent or do something 'in the name of the Council', which they have not been authorised to do by the Council. The Parish Clerk, through their job specification, has the delegated authority on behalf of the Council to represent the Council in negotiation with other bodies.

Councillors should be aware that their direct or indirect involvement can later affect their position in Council due to predetermination. Most importantly, if a Councillor acts without delegated authority, they could be held financially responsible and surcharged in the event of the Council incurring expenditure it had not previously budgeted for or agreed to.

Representing the Council and Community Leadership

Councillors should represent both the Council, and themselves, in the correct manner to ensure that both are not misquoted or misrepresented and views belonging to one or the other are not confused in conversations or meetings. No member of the Council should promise to do something or agree to do anything on behalf of the Parish Council, which they have not been authorised to do by the Council. Councillors should also be aware that residents will be conscious of their role and will interpret personal comments as from a representative of the Parish Council.

When attending meetings of groups and organisations, Councillors do so as representatives of the Parish Council and should only put forward views agreed by Council, and not their own personal views. Councillors should abide by the democratic decisions of the Council once made. If you are attending a meeting as the Parish Council representative, but feel you have questions or an objection which you would like to express as an individual then your status must be clearly communicated to the meeting you are attending.

Examples

1. The Parish Council decides to support a planning application. You decide to attend the planning committee at Oxford City Council because you, personally, don't like the planning application and have a strong objection towards its design and position. If you decide to write or speak against the application, it must be as an individual. However, recent findings have concluded that even as an individual you are more widely known as a Councillor and thus open to criticism. Therefore, any such correspondence should make it clear that it is a 'personal viewpoint'.
2. You have been asked to attend a community meeting as the Parish Council's representative, simply to gather information of what is happening, and to see if any items will affect Risinghurst and Sandhills. The meeting goes off track and begins discussing an item which is not at all relevant to Risinghurst and Sandhills, but that you are interested in and have knowledge about. If you engage in conversation regarding issues, opinions or objections, you should make the meeting clearly aware that this is your own personal view and not the views of the Parish Council, remembering that you are only there because of the Parish Council.
3. Neighbourhood or police meeting: you attend the meeting because you live in the parish and have an issue to raise at the meeting with the police. You are not the Council's representative for this meeting. You should raise your points as a resident and try to avoid mixing in any the Parish Council opinions or decisions, otherwise this would be confusing to other attendees.

Emails

As a Parish Councillor you will be issued with a Council email address, usually in the format of Your.name@risinghurstandsandhills-pc.gov.uk. This is to keep your Parish Council work separate from your personal business. This protects both you and the Parish Council from any confusion that may arise from Data Protection and Freedom of Information requests. If you use your personal email address for Council business and a freedom of information request is made it means that all your emails would have to be provided.

Media Relations

The Parish Council's relationship with the community is vital to its work and the decisions it takes. An open and constructive dialogue is a key requirement for influencing and developing services, identifying attitudes and measuring satisfaction.

Effective media relations are an important factor in establishing a good relationship between the Parish Council and the community. Since members of the public generally rely on the media for local information and news, it is important for the Parish Council to present information about its activities and aspirations in a consistent way.

The community in this sense includes all residents and elected representatives, businesses, schools, shops, places of worship, statutory agencies, voluntary organisations, groups and associations.

Contacting the Media

The general principle is that the Parish Clerk will act as the press office. Any official contact with the media concerning the Parish Council's policies, the decisions it takes and the services it provides, are to be initiated through the press office.

Press releases and statements will be prepared by the Parish Clerk and/or Chairperson to ensure accuracy and consistency of the message, in association with other members as required and will normally be restricted to matters that have been debated and agreed by the Parish Council.

This is not to prevent a member from expressing a personal opinion through the media. Members must make it clear that any views expressed are their own personal views, where they differ from the Parish Council policy. Members should take care not to misrepresent or bring the Parish Council into disrepute as is their responsibility under the Local Government Code of Conduct.

Newsletter

A Parish Council newsletter is produced twice a year. The spring newsletter coincides with the Annual Parish Meeting (for the community). At this meeting, the Chairperson reports to the community about the past 12 months. To ensure that all residents receive the report, not just the few who attended the meeting, the Chairperson's report is printed as the Spring newsletter and delivered to each household.

A second newsletter is produced for the early Autumn, and community groups are encouraged to submit articles for this edition, to help raise awareness of what is on or available in the community. All the newsletters are hand-delivered by Parish Councillors.

Training

Staff and Parish Councillors are encouraged to attend training on topics relevant to their work for the Parish Council. Attendance at such courses is vital to keep up to date with new legislation and other developments affecting the work and duties of the Parish Council. Training events are provided by various organisations, such as the Oxfordshire Association of Local Councils (OALC) and Society of Local Council Parish Clerks (SLCC) and are funded by the Parish Council out of the training budget. For simplicity, contact between the OALC and Risinghurst and Sandhills Parish Council is restricted to the Parish Clerk and the Chairperson of the Council. The Parish Clerk will circulate the OALC Newsletter and book training events and book training places.

Planning

The Local Plan of Oxford City Council sets out a planning policy for Risinghurst and Sandhills, and it includes development plan documents. These are very important when deciding planning applications. These can be seen at www.oxford.gov.uk/info/20067/planning_policy

The final decision is made by the planning authority. Risinghurst and Sandhills Parish Council is consulted by the relevant planning authority (usually Oxford City Council) on all planning applications within Risinghurst and Sandhills, and these form part of the monthly meeting agenda. Any views expressed by the Parish Council will be considered by the planning authority before a decision is made but must be based on material planning considerations.

Risinghurst and Sandhills Parish Council appoints area Planning Representatives, who are responsible to check applications in detail and make recommendations for comment, objection or support to the Parish Council. The Parish Clerk will liaise with the planning officer and submit the agreed response on behalf of the Parish Council.

Planning applications can only be decided based on planning issues, which include:

- the effect on neighbours' daylight, sunlight or privacy
- the impact of traffic, road access, highway safety, parking
- the appearance, bulk or height of the scheme
- the impact on amenity, such as noise generated by the proposal
- the potential loss of a valued local service or use, such as a shop
- the effect on wildlife, listed buildings, trees etc.

Planning officers cannot consider issues such as:

- the effect on property values
- private issues between neighbours such as land covenants, land and boundary disputes
- competition between rival businesses
- party wall disputes and fire escape matters
- the fact that a development will require a period of construction.
- loss of a private view

What is Meant by 'Calling In' a Planning Application?

Oxford City Council is the Local Planning Authority. In most cases, planning applications are decided by a Planning Officer following a period of public consultation. Major applications are automatically determined by the Planning Committee, and some planning applications can be called-in to be considered by the planning committee.

If Risinghurst and Sandhills Parish Council considers that an application is not straight forward, it can recommend it is 'called in' to the committee on specific planning grounds. Any Oxford City Councillor can 'call in' an application, however, it requires five other city Councillors to support the request.

Neighbourhood Plans

Under the Localism Act 2011, Parish Councils have the right to produce neighbourhood plans which can shape development at the parish level. Current local plans take the strategic role, for example, housing numbers, strategic infrastructure etc. The neighbourhood plan will have to broadly follow this, but the detail of what is planned for the future of a community will now be determined by the Parish Council through the plan. This includes where housing should be located, what local infrastructure like play areas,

doctor's surgeries, and other facilities are needed and what development is not permissible.

A neighbourhood plan is co-ordinated through a steering group and must be independently examined and then pass a local referendum amongst the population of the community it serves. If the majority voting is in favour, then a local authority is duty bound to take the plan into account when considering planning applications. The cost of producing neighbourhood plans is covered through the proceeds of development permitted in the local area and from specific government funding.

Risinghurst and Sandhills does **not** have and is not working towards a neighbourhood plan currently.

General Power of Competence

Local authorities' powers and responsibilities are defined by legislation. In simple terms, they can only do what the law says they can. Sometimes Councils are wary of doing something new - even if they think it might be a good idea - because they are not sure whether they are allowed to in law, so are concerned about the possibility of being challenged in the courts.

The Localism Act includes a 'general power of competence' if the Parish Council meets the eligibility criteria. It gives local authorities the legal capacity to do anything that an individual can do that is not specifically prohibited. For example, they will not be able to impose new taxes, since an individual has no power to tax.

The general power gives Councils more freedom to work together with others in new ways to drive down costs. It gives them increased confidence to do creative, innovative things to meet local people's needs. Councils have asked for this power because it will help them get on with the job. The general power of competence does not remove any duties from local authorities - just like individuals they will continue to need to comply with duties placed on them. The eligibility criteria for a Parish Council to declare the 'General Power of Competence' is that:

1. **Resolution:** the Council must resolve at the annual meeting that it meets the criteria for eligibility relating to the electoral mandate and relevant training of the Parish Clerk. This is reviewed annually thereafter.
2. **Electoral mandate:** at the time the resolution is passed, at least two thirds of the Council must hold office as a result of being declared elected (not co-opted). For this reason, Risinghurst and Sandhills Parish Council has not been eligible for the general power of competence.
3. **Qualified Parish Clerk:** At the time that the resolution is passed, the Parish Clerk must hold a recognised professional qualification (Certificate in Local Council Administration or Certificate of Higher Education in Local Policy). The current Clerk holds the CiLCA qualification.

Historically, Risinghurst and Sandhills Parish Council has rarely filled all of its 20 vacancies, partly because it has a high number compared to the number of residents in the Parish. As a result, it has not fulfilled the electoral mandate required to be able to be eligible for the general power of competence.

Streets Within Risinghurst and Sandhills Parish Boundary

Risinghurst and Sandhills is a small parish in Oxford City with 3,217 electors (2,244 properties). It has 20 seats and the parish is divided into 4 wards as follows:

Risinghurst North	Risinghurst South	Wood Farm	Sandhills
Seats 9	Seats 3	Seats 3	Seats 5
Baker Close Carter Close Collinwood Close Collinwood Road Downside End Downside Road Forest Road Green Road Grovelands Road Harold White Close Kiln Lane Lewis Close London Road Netherwoods Road Pond Close Ridgeway Road Ringwood Road Sermon Close Shelley Close Slaymaker Close Stanway Road The Larches The Link, Headington The Roundway Wychwood Lane	Dorchester Close Old Road, Headington Quarry Road Spring Lane St Ebba's Close Stansfield Close Upper Meadow	Bonar Road (part) Bracegirdle Road Chillingworth Crescent (part) Godfrey Close Masons Road (part) Nuffield Road (part)	Burdell Avenue Burlington Crescent Bursill Close Colwell Drive Delbush Avenue Elton Close Green Ridges Hill View, Sandhills Hosker Close London Road Merewood Avenue Roberts Close Sweet Green Close Terrett Avenue

Risinghurst Playing Fields Charity (registered charity number 1196270)

The Playing Fields were bought in 1959 and the Olive Jacks Memorial Field was donated in 1950. More history on these facilities and the development of Risinghurst and Sandhills can be seen on the website “history” page. The playing fields have a by-law to give guidance on what is (and is not) allowed on the fields.

Separate charities were created for the fields, with a management committee for these facilities. However, the management committee folded in the 1990’s. Since then, the Parish Council continued to manage them, but the number and availability of Trustees dwindled.

Following a review, the charities were combined, and a new, single Charitable Incorporated Organisation (CIO) was set up in 2021. This delegates the management of the Risinghurst Playing Fields to the Parish Council, which is also the sole corporate Trustee.

The purpose of the Charity is *“To promote for the benefit of the inhabitants of Risinghurst and Sandhills and the surrounding area the provision of facilities for recreation or other leisure time occupation of individuals who have need of such facilities by reason of their youth, age, infirmity or disablement, financial hardship or social and economic circumstances or for the public at large in the interests of social welfare and with the object of improving the condition of life of the said inhabitants.”*

The Risinghurst Playing Fields have an annual management plan which can be seen on the website.

Property Owned by Risinghurst and Sandhills Parish Council:

- **Risinghurst Playing Fields including Olive Jacks Memorial Field**, off Grovelands Rd, Risinghurst (note: this is not within the actual Parish or City boundary but sits within Forest Hill with Shotover Parish and South Oxfordshire District Council boundaries).



- **Downside Dip play area**, Downside Rd, Risinghurst including the Steph Spencer memorial garden.



- **Ballcourt**, Richards Way, Risinghurst



- **Allotments**, Richards Way, Risinghurst. These are managed by Risinghurst Allotment Association. This also includes a small, wooded copse beyond the allotments.



Sports

Risinghurst Cricket Club has been based at the Risinghurst Playing Fields for many years. The cricket season is May to August and spectators are welcome to come and enjoy the games.

Headington Youth Football Club runs about 13 youth teams (under 18) September to April and new players are always welcome.

Volunteering:

A group of volunteers (residents and Parish Councillors) work on Thursday mornings alongside the Groundsman on Risinghurst Playing Fields. New volunteers are always made welcome. The Parish Council is grateful to resident Will Clark, who volunteers his expertise and leadership to the Grounds Working Group, to improve the facilities and provide a recreation ground to enjoy and feel proud of.



Defibrillators

The Parish Council owns and manages two defibrillators. One is outside the Post Office, Downside Rd, Risinghurst and the second is on Bush House, Merewood Ave, Sandhills.



Risinghurst and Sandhills Parish Council are either members of, or work with the following Organisations:

- Oxford City Council as the principal authority.
- Oxfordshire County Council as the county authority
- OALC (Oxfordshire Association of Local Councils) who provide a wide range of advice, training resources and a network of Town and Parish Councils throughout the county.
- NALC (National Association of Local Councils) through its membership with the OALC. NALC lobbies government and provides training resources, information guidelines and legal topic notes.
- SLCC (Society of Local Council Parish Clerks) who provide the Parish Clerk with a wide range of advice, training resources and a supportive network of Parish Clerks throughout the county and nationally.

Further Reading

There are many informative and helpful publications available from NALC, OALC and SLCC including:

- The Good Councillor's Guide
- Being a Good Employer,
- Finance and Transparency
- Local Council Administration by Charles Arnold Baker.