



## Personnel Committee Terms of Reference

**The Personnel Committee Terms of Reference were originally reviewed and approved by the Council at its meeting held on 28<sup>th</sup> July 2022 and will be reviewed biennially or in light of any applicable legislative updates.**

|                     | Date       | Minute Reference |
|---------------------|------------|------------------|
| New Version Adopted | 28/07/2022 | 22/103           |
| Reviewed            | 28/05/2026 | 26/010 c)        |
| Next Review         | May 2028   |                  |

The Personnel Committee sits and functions under the delegated authority of the Parish Council. Like the Full Council, it exercises its authority as a collective body.

The Personnel Committee has the delegated authority to make decisions on behalf of the Full Council on matters within its areas of responsibility without the needs for these decisions to be ratified by the Full Council. In other cases, it makes recommendations to the Finance committee for approval of the Full Council.

The Personnel Committee may incur expenditure on behalf of the council which is necessary for the provision of training for councillors and staff. The delegated budget for training may not exceed that which is set out for training in the precept. This does not affect the overall compliance with Financial Regulations where certain financial actions must be approved by Full Council.

## **1. Objectives**

The purpose of this committee is to meet legislative requirements to provide administration management in respect of employment of staff by the Parish Council and to ensure good governance and health and safety of staff and to consider the training needs of Councillors and staff. The Personnel committee will annually submit to the full council its recommended budgetary requirements for training and development needs for inclusion in the precept.

## **2. Membership**

2.1 The Personnel Committee shall comprise of at least three councillors appointed by the Council at the Annual Parish Council Meeting, or at a subsequent Full Council Meeting. As a standing committee of the Council, the Chairman and Vice-Chairman of the Personnel Committee must also be appointed by the Council (SO 4.d.vi). The Chairman and Vice-Chairman will hold office for 12 months or until the next Annual Parish Council Meeting.

2.2 The Personnel Committee may appoint a Sub-Committee (SO 4.a) and determine its Terms of Reference. The Sub-Committee shall consist of at least three Cllrs and will be appointed by the Personnel Committee.

## **3. Quorum**

Quorum of the Personnel Committee and the Personnel Sub-Committee will be three (SO 4.d.viii).

## **4. Meetings**

4.1 i) The Personnel Committee shall hold a minimum of 2 meetings per year, the dates and times of which will be agreed during the year. Meetings will be for a maximum of 2 hours with any unfinished business being carried forward to the next meeting. In exceptional circumstances, the meeting may be extended with a vote taken by its members in accordance with SO 3.x and 10.a.xv.

ii) The Chairman of the Personnel Committee may convene an extraordinary meeting of the Personnel Committee or the Personnel Sub-Committee at any time.

iii) If the Chairman of the Personnel Committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the Personnel Committee or the Personnel Sub-Committee, any 2 members of the Personnel Committee or the Personnel Sub-Committee may convene an extraordinary meeting of the Personnel Committee or the Personnel Sub-Committee.

- 4.2 Due to the confidential nature of some items of business it may be necessary to hold meetings or parts thereof in private. The Public and Press may not be admitted to these meetings as in pursuance of Public Bodies (Admission to Meetings Act 1960 Section 1 amended 2014, and by the Openness of Local Government Bodies Regs 2014). This can be done at any point during the meeting, staff will also be required to leave unless otherwise agreed by the Committee and a nominated Councillor will record the discussion and any resolutions during this period.
- 4.3 Minutes to be an agenda item and presented for noting at the next Full Council meeting.
- 4.4 The Committee is empowered to invite specialist professional officers or advisers to attend meetings to provide guidance to matters under discussion. If a cost is involved this will be financed by resolution of the Full Council. Any Non – Members of the Committee are subject to the same rules as Committee members regarding confidentiality and the requirements of the Code of Conduct.
- 4.5 The Committee has powers delegated by full council to develop and agree policies and risk assessments and to make management, administration and governance decisions.
- 4.6 Only members of the committee may vote on agenda items. Staff are not formal members of the committee and will therefore not have any voting rights. In the case of an equality of vote the Chairman of the committee may use their casting vote.
- 4.7 The committee will comply with and have due regard to policies and guidance to staffing matters, which include but are not limited to:
- Nazeing Parish Council Standing Orders and Financial Regulations.
  - Other Nazeing Parish Council adopted policies and procedures.
  - Staff Contracts which reference Terms and Conditions of employment.
  - ACAS Guidelines and procedures for grievances or disciplinary matters.
  - National Joint Council Green Book pertaining to employment of local authority staff.

## **5. Interests**

A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

## **6. Responsibilities and Powers**

- 6.1 The committee is responsible for the employment and welfare of all employees.
- 6.2 The committee has the power under the Local Government Act 1972 ('1972 Act') to undertake all matters for the management of the Parish Clerk ("the Clerk"), who has been appointed as the Council's Responsible Financial Officer and Proper Officer, and for assisting the Clerk with direction on management of other staff.
- 6.3 i) All leave requests should be completed on the leave request form and emailed to the chair or in their absence vice chair of the Full Council.
- ii) The role of recording annual leave, sickness, absence and the Council's supervision and appraisal for the Clerk will be delegated to the Chair and Vice chair of the Personnel Committee.

The role of recording annual leave, sickness, absence and the Council's supervision and appraisal for the Assistant Clerk will be delegated to the Chair and Vice chair of the Personnel Committee with input from the Clerk.

- 6.4 Pursuant to the '1972 Act' the committee has the responsibility of agreeing employment policies, procedures and documentation on an annual basis including; disciplinary and grievance policy, equal opportunity policy, appraisal policy, dignity at work (bullying and harassment) policy, sickness and absence policy, lone working policy and the health and safety policy.
- 6.5 The committee has the power under the 1972 Act sections 101 and 112(2) to negotiate and agree with employee(s) to confirm or amend terms and conditions of employment. Any proposed salary award will be reported to full council and will ensure that full and open discussion has taken place with the member of staff and members of the committee as required.
- 6.6 The committee is responsible for the staffing issues or concerns including those relating to the Clerk and Assistant Clerk and direction for the Clerk with regard to other staff, except where these would be more appropriately considered by Disciplinary/Grievance/Appeals Committees.
- 6.7 The committee is responsible for an effective system of performance management being maintained for council staff, and as below (7.1) should carry out the performance management for the Clerk and Assistant Clerk annually in line with the appointment date.
- 6.8 The committee should consider and recommend to the full council any training and professional development needs of the staff and councillors.
- 6.9 The committee should give due diligence to strategies and direction for the committee and its role, responsibilities and actions over time.

## **7. Specific Delegated powers.**

- 7.1 To review staffing structures and levels making recommendations to the Council as appropriate.
- 7.2 To agree and review annually that the following are fit for purpose and suit the needs of the Parish Council: - contracts of employment, job descriptions, person specifications and the performance management system.
- 7.3 To review health and safety at work for all employees.
- 7.4 To review **ALL** council policies that relate to staff employment on an annual basis.
- 7.5 To appoint when necessary, a recruitment panel from its committee members and to recommend appointments to the Full Council. A panel will consist of a minimum of two members of the Committee plus the Clerk / Assistant as necessary.
- 7.6 To appoint when necessary, members of the committee to act as a disciplinary panel as set out in the Green book and an appeals panel in the case of any appeal against disciplinary action.
- 7.7 To appoint committee members to hear any formal grievance.
- 7.8 To ensure the council complies with all legislative requirements relating to the employment of staff.

End of document.