

Coxhoe Parish Council Human Resources Committee Terms of Reference



1. **Premise**

The purposes of this committee are:

- 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;
- to consider the training needs of Councillors and staff other than decisions delegated to the Clerk.

2. **Membership**

The committee shall comprise of three to five councillors appointed at the Annual Council meeting or at a Council meeting; the membership will be the same as the Grievance, Disciplinary and Complaints Committee. At the first meeting of the Committee a Chair will be elected by the members and the terms of reference noted. The terms of reference must be approved by full Council. All Councillors will receive the agenda and draft minutes for each meeting.

3. **Quorum**

A quorum will be three members.

4. **Meetings**

4.1 The committee should hold at least four meetings each year of which the dates and times will be agreed at the start of each financial year. Other further meetings will be convened on a needs basis.

4.2 Time will be set aside for public participation in accordance with Council policies.

5. **Conditions**

5.1 Due to the confidential nature of some items of business to be transacted it may be necessary to hold meetings (or parts thereof) in private in pursuance of Public Bodies (Admission to Meetings Act 1960 Section 1 as amended 2014 and by the Openness of Local Government Bodies Regulations 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 Councillor will be nominated to record the discussion and any resolutions during this period.

5.2 Minutes to be an agenda item and presented for noting at the next meeting of the parish council.

5.3 The Committee may co-opt to fill temporary vacancies.

5.4 The Committee is empowered to invite specialist professional officers or advisers to attend meetings to provide guidance as to matters under discussion. If a cost is involved this will be financed under code 4170 HR Advice costs of the Parish Council budget. If this has not been resolved by the Committee but the need appears urgent, the Clerk will discuss this with the Committee Chair in advance of any meeting, and the Clerk will use delegated authority to approve the financial commitment.

5.5 The Committee has powers delegated by full Council to develop and agree policies and

risk assessments, and make management, administration and governance decisions; however all policies must be received as soon as practically possible by full Council.

5.6 Only members of the Committee may vote on agenda items. Staff will not be formal members of the committee and will not have any voting rights on this committee.

5.7 Non-Members of the Committee are subject to the same rules as Committee members regarding confidentiality and the requirements of the Code of Conduct, and on declaring interests and acting according to the Standing Orders or any other Parish Council policy or legal requirement.

5.8 The committee will comply with and have due regard to policies and guidance relating to staffing matters, which include (but are not limited to):

- Standing Orders
- Financial Regulations
- Parish Council Policies including for Disciplinary and Grievance
- Staff contracts which reference Terms and Conditions of Employment
- ACAS guidelines and procedures for grievances or disciplinary matters
- National Joint Council (NJC) 'Green Book' pertaining to employment of local authority staff.

6. Restriction

6.1 A member of the council will not sit as a member of the committee if that member has a direct conflict of interest such as being related to the Clerk.

6.2 Councillors will promote transparency by declaring interests as appropriate and following policy and procedure in relation to taking part in or withdrawing from discussion.

7. The Committee's Responsibilities and Powers

7.1 The committee has the power under the Local Government Act 1972 to undertake all matters for the management of the Clerk and for assisting the Clerk with direction on management of other staff. The role of recording holidays and sickness absence and the Council's supervision and appraisal for the Clerk will be two appointed members of the Human Resources Committee. The Chair of the Council may also undertake an appraisal if so directed by the Council (see Standing Orders).

7.2 Under the above Act the committee has the responsibility of agreeing employment policies, procedures and documentation including Dignity at work/bullying and harassment policy, disciplinary and grievance policy, equal opportunity policy, appraisal policy and the health and safety policy.

7.3 The committee has the power under the Local Government Act 1972 sections 101 and 112(2) to negotiate and agree with employees to confirm or amend terms and conditions which will be reported to full Council, and to ensure that full and open discussions have taken place with staff and members as required. Proposed salary awards may be discussed at this Committee and recommendations made, but any decision to make pay awards must be decided by full Council.

7.4 The committee is responsible for staffing issues or concerns including about the Clerk and direction for the Clerk with management of other staff.

7.5 The committee should ensure an effective system of performance management is maintained for Council staff, and as above (7.1) should carry out the performance management system for the Clerk.

7.6 The committee should consider training and professional development for Councillors and for staff.

7.7 The committee will consider strategies and future direction for the committee and its

responsibilities and appropriate actions.

8. Delegation to the Clerk and other Employees

8.1 The Clerk has delegated power to manage attendance, short term sickness absence, return to work interviews, annual leave, maternity leave, paternity leave, adoption leave, carers' leave, compassionate leave, flexible leave requirements, disciplinary and capability procedures and staff inductions in line with current agreed Council policies. In addition the relevant Youth Service member of staff is delegated to manage the supervision and appraisal of youth staff line managed by them.

8.2 The Parish Clerk is delegated to progress any staffing matters with the Council's appointed HR Adviser.

The Terms of Reference were approved by Coxhoe Parish Council at the Annual Meeting of the Council on 6 October 2021.