



ST AGNES PARISH COUNCIL

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Human Resources Committee Terms of Reference

Authority

The Human Resources (HR) Committee is appointed by and is solely responsible to St. Agnes Parish Council. The Committee's duties are defined and agreed by the Full Council who may vote at any time to modify these.

The Council recognises that employment law and good practice is complex, specialist and changes regularly. Poorly handled employment matters can have significant consequences and affect staff welfare, livelihoods, working relationships, recruitment and retention, Council resources, service delivery and legal, financial and reputational risk.

The Council will manage these risks by obtaining timely advice from suitably qualified HR consultants and following relevant sector guidance from bodies such as NALC, SLCC, LGA, CALC, ACAS and the National Joint Council Green Book.

The HR Committee's role is to provide governance, oversight and support. It will support the Clerk in the proper management of staff, oversee employment policies and procedures, and help ensure matters are handled in line with the Employee Handbook and professional advice.

The Committee will not normally become directly involved in complex HR cases unless this is required by the Employee Handbook, a Full Council delegation or professional HR advice.

Membership

- There will be five elected members (voting).
- There shall be no ex-officio membership on this Committee (per Standing Orders).
- There shall be no appointed substitute members to this Committee.
- Members of the Committee are established at the Annual Parish Council Meeting. Any vacancies arising on the Committee shall be filled by Full Council only.
- Only Councillors appointed by the Full Council are entitled to vote or move or second a motion.
- At its first meeting after the Annual Parish Council meeting, the Committee shall elect a Chair (per Standing Orders).
- Councillors appointed to the Committee must be willing to undertake appropriate training relevant to the role where this is considered necessary or beneficial. The Council recognises that the Committee's role is one of governance, oversight and support, and that specialist HR and employment law advice will be sought from a suitably qualified HR consultant where required. Training for Committee members is intended to support informed oversight and good governance, while recognising that the Council's priority is to manage employment risk through professional advice and support.
- The Council recognises that a stable membership of the Committee is desirable and as such membership of the Committee should be seen as a long-term commitment.
- A Member will not be eligible for nomination to the Committee if they have been the subject of an upheld grievance or finding of a breach of the Code of Conduct by or relating to a member of staff during the previous 24 months.
- Any Member of the Council can attend but must leave the room whenever the press and public are excluded.

Quorum

Quorum will be three members.

Frequency of meetings

Scheduled meetings twice a year and ad-hoc meetings as required.

Public Participation

There will be no public participation at the meetings of the Committee.

Record of meeting

Written minutes will be taken to record the Committee's decisions and will be noted at a following Full Council meeting. If further detailed and confidential minutes are required these will be circulated to Committee Members only. All records relating to staffing matters must be handled confidentially and in accordance with the Council's legal obligations, including data protection requirements, the Council's policies and the Code of Conduct.

Review of terms of reference

The Committee may review their Terms of Reference annually and make recommendations to the Full Council.

General terms

1. All powers must be exercised in accordance with Council policies and resolutions and are subject to the Council's Standing Orders and Financial Regulations. Any proposal requiring a change to existing Council policy must be referred to Full Council for approval.
2. The Committee's role is one of governance, oversight and support. Day-to-day Council management, including operational staff management, rests with the Clerk, supported where appropriate by line managers and in accordance with the Employee Handbook, contracts of employment and agreed Council policies. This includes routine management of work, attendance, leave, welfare, performance, appraisals, training and service delivery. The Committee and individual Councillors must not undertake day-to-day line management or issue instructions directly to staff unless expressly required by Council policy, resolution, the Employee Handbook or professional HR advice.
3. Higher-risk HR matters and matters beyond the Clerk's management role and training, must be referred at the earliest appropriate stage to a specialist, suitably qualified HR and employment law consultant appointed by the Council. These matters include, but are not limited to:
 - formal grievances, disciplinary and capability matters;
 - sickness absence escalation;
 - bullying, harassment and discrimination;
 - whistleblowing;
 - redundancy and restructuring;
 - contractual variation;
 - dismissal and settlement;
 - pay or grading disputes;
 - conflicts of interest; and
 - any matter involving the Clerk personally.

The Council recognises that appropriate professional HR advice protects staff welfare and interests, supports the Clerk, and assists in meeting its employer responsibilities and reduces risk to the Council, individual Councillors and staff.

4. Urgent or emergency matters may be dealt with by the Clerk in consultation with the Chair of the Committee and with appropriate professional HR or employment law advice from the Council's appointed HR consultant. Any action taken must be reported to the Committee or Full Council, as appropriate, at the earliest opportunity.
5. All staffing matters must be treated confidentially in accordance with data protection legislation and the Code of Conduct. Information provided to the Committee must be limited where necessary to meet confidentiality and data protection requirements.

Delegated powers

The Committee has delegated authority:

a. Additional matters

To consider any matter delegated to it by Full Council from time to time.

b. Staffing oversight and support for the Clerk

To support the Clerk in carrying out staff management responsibilities and to oversee the overall performance, welfare and development of staff and the Council's employment framework, while recognising that day-to-day and operational line management rests with the Clerk. The Committee will ensure that appropriate professional HR advice is obtained and followed where required.

c. Staffing reports

To receive reports from the Clerk, where necessary and/or appropriate on:

- staff welfare and workload;
- attendance and absence;
- long-term sickness and return-to-work;
- annual leave;
- maternity, paternity, adoption and compassionate leave;
- flexible leave requirements;
- pay;
- staffing capacity and recruitment;
- appraisals and training; and
- implementation of the Employee Handbook.

Reports must be provided subject to confidentiality and data protection requirements. The Committee may consider associated welfare, staffing-capacity and risk-management matters. Any formal HR action must be undertaken in accordance with the Employee Handbook and, where appropriate, with advice from the Council's appointed HR consultant.

d. Employment policies, legislation and the Employee Handbook

To:

- review, update and implement the Council's employment policies and Employee Handbook;
- consider changes required by legislation, the terms and conditions of service in the National Joint Council Green Book, and relevant professional or sector guidance;
- consult the Clerk and staff and, where appropriate, the appointed HR consultant, NALC, CALC, SLCC and ACAS; and
- approve and implement changes within existing Council policy and the Committee's delegated authority, referring any changes requiring Council approval to Full Council.

e. Staffing levels and establishment

To maintain the staffing levels necessary to discharge the Council's work efficiently, review workloads periodically and consider changes to the staff establishment, including:

- job descriptions and person specifications;
- promotion and regrading;
- redundancies; and
- contracts.

Changes must comply with agreed Council policies. Appropriate professional HR advice must be obtained where contractual, legal, financial or employee-relations implications arise.

f. Recruitment

To oversee staff recruitment including associated expenditure, and, where required, support the Clerk in recruiting new staff. Recruitment must comply with Council policy, equality requirements, good employment practice and relevant sector guidance.

The Committee is also authorised to undertake recruitment of the Parish Clerk role, including associated expenditure, taking advice from the appointed HR consultant and relevant sector bodies. The appointment will be subject to any requirements imposed by Full Council.

g. Contracts of employment

To review and approve contracts of employment, taking appropriate professional HR advice where required.

h. Staff appraisals

To ensure annual appraisals are carried out for all staff and to agree and monitor associated actions and outcomes. Staff appraisals, other than the Clerk's appraisal, will be carried out by the Clerk or another appropriate line manager in accordance with the Employee Handbook and Council practice. The Clerk's annual appraisal will be undertaken by the Chair of the HR Committee and the Chair of the Council, with advice from the appointed HR consultant where appropriate.

i. Staff training

To:

- Support the Clerk, where necessary and appropriate, in identifying, arranging and recording appropriate staff training and development within approved budgets and Council policies;
- ensure staff training needs are identified annually through the appraisal process, together with any statutory, role-based or emerging training requirements;
- receive updates on training needs, opportunities and training completed, and encourage staff development and upskilling; and
- recommend that Full Council makes adequate annual budget provision for staff training, including appropriate HR and people-management training for the Clerk and senior line managers.

j. Staff welfare, wellbeing and health and safety

To support staff welfare and wellbeing by:

- receiving appropriate reports from the Clerk;
- considering stress risk assessments where required;
- reviewing workload and capacity concerns; and
- considering initiatives supporting wellbeing, resilience, safe working and effective Council operations.

The Committee will also consider health and safety matters falling within its remit, including work-related stress, safe systems of work and the relationship between staffing arrangements and health and safety.

k. Councillor and staff conduct

To ensure that concerns relating to Councillor or staff conduct are handled through the correct procedure:

- employee conduct must be dealt with under the Employee Handbook and with appropriate HR advice; and
- Councillor conduct must be dealt with under the Code of Conduct and, where appropriate, referred to the Monitoring Officer.

The Committee must not independently investigate or determine Councillor conduct matters.

l. Formal HR procedures and professional assistance

To oversee compliance with the Employee Handbook in relation to complaints, grievances, disciplinary matters, capability matters, sickness absence escalation and other formal HR procedures. The Committee's role is to ensure that:

- the correct procedure is followed, as set out in the Employee Handbook;
- appropriate professional advice is obtained;
- conflicts of interest are managed; and
- decisions are taken only by people with the proper authority, expertise, training and independence.

The Clerk and Committee will seek assistance from a suitably qualified HR or employment law consultant in relation to any complex matter, including but not limited to disciplinary and grievance. Professional advice must be obtained before formal action is taken in any higher-risk HR matter.

m. Investigations, hearings and appeals

The Committee must not itself undertake investigations, hearings, appeals or other formal HR casework unless this is:

- required by the Employee Handbook;
- advised by the appointed HR consultant;
- specifically delegated by Full Council;

Where Committee Members are required to participate in formal HR proceedings, they must act only within the advised procedure and preserve impartiality, confidentiality and the separation of investigation, decision-making

and appeal roles.

n. Budget proposals

To prepare and submit budget proposals to Full Council no later than 30 November each year covering:

- salaries;
- staff training;
- staff welfare initiatives;
- recruitment;
- professional HR support for all staff;
- suitably qualified HR or employment law consultant costs/contract

o. Authorisation of expenditure

To authorise expenditure where payment is made from an agreed budget and within limits previously approved by the Council. This includes, where budgeted or otherwise authorised:

- HR consultancy and employment advice;
- staff training;
- Clerk HR training;
- Occupational Health;
- mediation;
- wellbeing support;
- recruitment; and
- other employment-related professional support.

p. Matters outside existing policy

To make recommendations to Full Council on any matter that falls outside existing Council policy or the Committee's delegated authority.