

MISTLEY PARISH COUNCIL HR (Human Resources) Committee Terms of Reference

The HR 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 HR Committee has the delegated authority to make decisions on behalf of the Full Council on matters within its areas of responsibility without the need for these decisions to be ratified by the Full Council. In other cases, it makes recommendations to the Full Council. This does not affect the overall compliance with Financial Regulations where certain financial actions must be approved by Full Council.

Terms of Reference

These are to be reviewed annually by the Full Parish Council.

Membership

Membership of the HR Committee is to be four Councillors, to actively deal with day-to-day matters (and three other Councillors to be called upon to form an Appeal Panel if a dispute arises). Members will be decided and appointed annually at the Full Council's Annual Meeting, in accordance with the protocols laid down in the Standing Orders and Guide to Standing Orders and the Staff Handbook.

Chairman

The Chairman and Vice-Chairman of the HR Committee will be elected annually by the members of the HR Committee at its first meeting after the Annual Meeting of the Council.

Quorum

A quorum will be reached with a minimum of three Councillors.

Emergency Powers

Generally staffing matters should be dealt with in HR Committee meetings, however, in exceptional circumstances, if there is an emergency HR or staffing issue, the Clerk shall take the initial action – informing the Chairman and Vice-Chairman as soon as possible. The matter or outcome is to go to the next HR Committee Meeting.

Examples of 'exceptional circumstances' may include:

- a serious offence; or
- gross misconduct; or
- other major incident; or
- accident.

The Clerk may also accept an unexpected resignation, but must report as above.

Responsibilities

The HR Committee delegates the responsibility to the Clerk to provide day-to-day oversight, direction, guidance and support for the work of the Council staff. The Clerk is also responsible for managing annual leave, approved lieu time and monitoring sickness. It is the responsibility of the Clerk to bring serious matters of concern to the HR Committee, including unusual or extended sick leave patterns.

The Clerk should always seek external advice from the Essex Association of Local Councils, as and when needed. Generally, the Clerk is the named officer to approach such external bodies. In matters connected with the Clerk's performance or management, the HR Committee will authorise their Chairman to contact this body. If the Chairman is not available the HR Committee will nominate a member.

If any member of the staff is unhappy with the line management and feels they have to bypass the normal structure, they may request a meeting with the Chairman and Vice-Chairman or in their absence two other members of the HRI Committee. The outcome is to be taken to the next HR Committee Meeting.

- The HR Committee manage, on behalf of the council, advised as necessary by the Proper Officer the following:
 - The overall performance of the staff, delegating the day-to-day line management of the Clerk. The HR Committee will be the body authorised to guide and assist the Clerk.
 - Ensuring the delivery of regular staff appraisals and noting and agreeing any actions and outcomes.
 - Nominating a member to carry out the Clerk's appraisals and reporting any actions as above.
 - Dealing with matters of individual or group discipline through the established management ranks, offering guidance and support to line management as appropriate.
 - If the problems require disciplinary and grievance procedures, then these will be directed to the appropriate panel as per the adopted procedures.
 - The results of these disciplinary and grievance procedures are to be brought to the HR Committee in the first instance – and the HR Committee will make recommendations to Full Council.
 - Any appeal will be reported to Full Council for the appeals procedure to be implemented.
 - Carrying out an annual review of the Council's employment policies, making recommendations to Full Council for any alterations and amendments.
 - Periodically reviewing staff contracts and initiating any amendments / alterations taking into account the correct employment law procedures.
 - Through the Clerk (Responsible Financial Officer) the HR Committee will be aware of pay, Income Tax, National Insurance, pension contributions and other related expenses, and ensure that legal requirements and recommendations are complied with.
 - The HR Committee will forward details of resignations to Full Council and will initiate filling the vacancy in accordance with the Council's approved recruitment policy.
 - Advertising for new staff, conducting interviews and making recommendations to the Full Council.
 - Contracts of employment for new staff members are agreed by the HR Committee but are referred to Full Council for acceptance.
 - The HR Committee Chairman and / or Vice-Chairman may approve the Clerk's annual leave, lieu time and claims for expenses. Details of periods exceeding one day should be passed to all HR Committee members – to a meeting, or via email if granted and take between meetings.

Review Body: Full Parish Council. Review Period: Annually each May. Adopted 20/05/2019. Last Reviewed 19/05/2025. Next Review Date May 2026.