

**YAXLEY PARISH COUNCIL**

**TERMS OF REFERENCE**

**PERSONNEL COMMITTEE**

APRIL 2016  
REVIEWED FEBRUARY 2019– APPROVED APRIL 2019

## **DELEGATED POWERS**

Members will be advised by the Clerk whether or not a particular item under discussion is within the Committee (or Sub-Committee's) delegated powers. The minutes will then record the decision as "RESOLVED". If it is not, then the minutes will show the decision as "RECOMMENDED", and will then be brought to the Council's particular attention by the Chairman of the Committee at the next meeting of the Council when seeking approval and adoption of the Committee's minutes.

In any case where a Committee (or Sub) Chairman and Vice Chairman are either unsure whether or not any matter falls within delegated powers, or whether or not any matter should be determined by them, they should refer that matter to the next highest level of decision. A power delegated does not always have to be exercised.

## **POWERS SPECIFICALLY DELEGATED TO THE CLERK**

- 1.0** Authorising expenditure on items where the Council, or the appropriate Committee under delegated powers, within a budget approved by the Council, has agreed the expenditure.
- 2.0** Investing monies held by the Council with a view to obtaining the best rates of interest, provided that the monies are invested through the Council's appointed bankers, the Post Office or a reputable building society.
- 3.0** The power to act as the Council's "Proper Officer" in all cases where any legislation requires the appointment of such an officer.
- 4.0** To act as the Responsible Officer for Health and Safety, and as the Council's Proper Officer in all cases where legislation so requires.

## **PUBLIC AND PRESS**

Under Section 1(2) of the Public Bodies (Admission to Meetings Act 1960) "that as publicity would be prejudicial to the public interest by reason of the {Special} {Confidential} nature of the business about to be transacted at Agenda Item... Namely... (state nature of business eg 'Discuss Clerk's Contract'), it is advisable in the public interest that the Public and Press be temporarily excluded from this meeting and they are herewith instructed to withdraw."

Exclusion of the public and press must be minuted but it does not have to be on the Agenda.

The exclusion of public and press should be used prudently and the Council must be clear on the reasons for doing so.

The press and public can be excluded for the following reasons:

- 1.0** To discuss terms of service, or to discuss the conduct and dismissal of a member of staff
- 2.0** Terms and proposals and counter proposals in negotiating contracts
- 3.0** Preparation for legal proceedings
- 4.0** The early stages of a dispute
- 5.0** The early stages of agreeing tender/quotation details
- 6.0** The approval of tender/quotation details
- 7.0** To discuss a matter of commercial sensitivity

## **PERSONNEL COMMITTEE**

### **Terms of Reference**

- 1.0** Membership shall comprise eight members, none of whom shall be the Chairman, or the Vice Chairman of the Council.
- 2.0** Four Members shall constitute a quorum.
- 3.0** To deal with all matters relating to the establishment, recruitment and appointment and terms and conditions of employment for all staff, save as provided within the Powers of the Full Council at paragraph 11.0 thereof.
- 4.0** To establish a programme of training for Councillors and employees such as will encourage professional advancement and effective decision making throughout the Council's activities and to ensure so far as possible adequate financial provision to secure these objectives.
- 5.0** To review personnel policies and procedures and monitor against the staff handbook.
- 6.0** To determine and monitor appointment procedures.
- 7.0** To convene an Appeals Committee if and when required.
- 8.0** To authorise the attendance of members or officers at conferences or courses including the incurring of necessary expenditure.
- 9.0** To ensure that all Members of the Personnel Committee are aware of and understand their responsibilities in staffing matters.

### **Delegation of Power**

#### **1.0 To the Committee**

- 1.1** Items included in paragraphs 3.0, 4.0, 5.0, and 6.0 above.
- 1.2** To annually review staffing levels and make recommendations to the Parish Council.
- 1.3** To receive annual reports on staff appraisals in October of each year.
- 1.4** To agree which Members of the Parish Council should sit on staffing appeal panels should the need arise.

#### **2.0 To the Chairman and Vice Chairman –**

- 2.1** Matters of an urgent nature requiring settlement before the next meeting of the Committee may be dealt with by the Chairman and the Vice Chairman of the Committee in conjunction with the Clerk and at their discretion but must be submitted for approval or otherwise to the next meeting of that Committee.
- 2.2** All Members are free to attend Personnel Committee meetings with the proviso that the Chairman and Vice Chairman have the power to revoke this in relation to part two items if any item to be discussed is personal to a member of staff.

