

Shrivenham Parish Council

Staffing Committee: Terms of Reference

Adopted by Full Council on: 7th October 2026 **Minute reference:** EX10/21.3

Review date: May 2027

1. Purpose and legal basis

- 1.1 Shrivenham Parish Council ("the Council") is the employer of all its staff. This document sets out the terms of reference of the Staffing Committee ("the Committee").
- 1.2 The Committee is appointed by the Council under section 102 of the Local Government Act 1972. The Council delegates functions to it under section 101 of that Act, and under the Council's Standing Orders and Financial Regulations.
- 1.3 The Committee acts on behalf of the Council in all staffing matters, within the limits set out in section 4 below.

2. Membership

- 2.1 The Committee shall consist of five councillors, appointed by the Council at its Annual Meeting (or as soon as practicable after a vacancy arises).
- 2.2 The Chairman of the Council shall not be an ex-officio member. The Committee shall elect its own Chair and Vice-Chair at its first meeting after appointment.
- 2.3 Membership shall be reviewed annually. A member may resign from the Committee at any time by notifying the Clerk, and the Council shall fill the vacancy at its next meeting.
- 2.4 Members must declare any disclosable pecuniary interest or other interest (for example, a family or close personal relationship with a member of staff or an applicant) in accordance with the Code of Conduct, and must withdraw from the item where required.
- 2.5 The Clerk (or, where the Clerk is the subject of the business, another person appointed by the Committee) shall act as secretary to the Committee. The Clerk shall not be present when the Committee discusses the Clerk's own appraisal, pay, conduct, capability or employment.

3. Quorum and meetings

- 3.1 The quorum is three members, or the number required by Standing Orders if greater.
- 3.2 The Committee shall meet at least once a year, and otherwise as needed. Meetings may be called by the Chair or by any two members.
- 3.3 Meetings are held in accordance with the Council's Standing Orders. Notice and agendas shall be published as required by law.

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- 3.4 Because most business involves personal information, the Committee will usually resolve to exclude the press and public under section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, stating the reason for confidentiality.
- 3.5 Decisions are made by a majority of members present and voting. The Chair has a second or casting vote in the event of a tie.
- 3.6 Minutes shall be taken and reported to the next meeting of the Council. Confidential matters shall be reported in summary form only, with detailed minutes held securely by the Clerk (or Chair of the Committee if the Clerk is conflicted).

4. Delegated authority

- 4.1 The Council delegates to the Committee full authority to act for the Council in all staffing matters, including but not limited to the following.

Recruitment and appointment

- (a) Approving job descriptions, person specifications and advertising for any vacant or new post, within the approved budget.
- (b) Shortlisting, interviewing and appointing staff, including the Clerk and Responsible Financial Officer (RFO), and agreeing offers of employment. In the event of the position of the Clerk being vacant the Chair of the Committee will issue a summons for an Extraordinary Meeting of the Committee.
- (c) Agreeing probationary arrangements and confirming appointments.

Terms and conditions

- (d) Issuing and varying written statements of employment particulars and contracts of employment.
- (e) Applying the salary scale, spinal column point and any national pay awards or increments agreed for the post, within the approved budget.
- (f) Determining hours of work, leave, sickness, flexible working, family leave, training entitlements and other policies, and approving and updating staff policies and the staff handbook.
- (g) Approving expenses, allowances and reimbursements for staff in line with policy.

Performance and development

- (h) Conducting or arranging appraisals and setting objectives, including the Clerk's appraisal.
- (i) Approving training and professional development (for example, CiLCA), within the approved budget (see Shrivenham Parish Council Training and Development Policy).

Conduct, capability and grievance

- (j) Dealing with all disciplinary, capability, grievance, absence management and redundancy matters, including deciding on any sanction up to and including dismissal.

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- (k) Establishing an Appeals Panel (see 4.4) and hearing appeals.
- (l) Agreeing settlement or compromise agreements, and terms of any exit, with the advice of the Council's HR or legal adviser.

Health, safety and welfare

- (m) Overseeing the Council's obligations as an employer for health and safety, wellbeing, equality and diversity, and safeguarding.

Other

- (n) Ensuring the Council is registered and complies with payroll, HMRC, pension and auto-enrolment obligations (delegating day-to-day administration to the Clerk/RFO or payroll provider).
- (o) Appointing an external HR adviser, employment lawyer or payroll provider, and arranging cover, interim or temporary staff when needed.
- (p) Any other staffing matter that arises between meetings of the Council and that is not reserved to the Council under 4.2.

4.2 Matters reserved to Full Council. The following are not delegated:

- (a) Setting the annual budget and precept, including the total amount available for staffing costs. The Committee must act within the approved budget and cannot commit expenditure beyond it, unless the Council approves this.
- (b) Deciding to create or abolish a post or the restructuring of the staffing establishment where this has budget implications not already approved.
- (c) Amending these Terms of Reference, Standing Orders or Financial Regulations.
- (d) Any matter that the law requires the full Council to decide.

4.3 Chairman and members. The delegation is to the Committee acting collectively. No individual member (including the Chair) may make staffing decisions on their own, other than actions expressly authorised by the Committee. The Chair of the Committee may deal with routine matters of line management on the Committee's behalf, such as approving leave or holding regular one-to-ones with the Clerk, and shall report these to the Committee.

4.4 Fair process and appeals. The Committee shall follow the ACAS Code of Practice on Disciplinary and Grievance Procedures and the Council's own procedures. Where a matter is heard by the Committee (or a panel of it), any appeal shall be heard by a separate Appeals Panel of at least three councillors who have had no previous involvement in the case. If there are not enough unconflicted members on the Committee, the Council shall appoint other councillors to the Appeals Panel. The Committee shall take HR or legal advice before any dismissal, redundancy or settlement.

4.5 Line management of the Clerk. The Chair of the Council is the Clerk's line manager on behalf of the Council. The Clerk manages any other employees on day-to-day matters, and the Committee deals with more serious staffing issues.

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- 4.6 Reporting. The Committee shall report all decisions to the next meeting of the Council. Reports to the Council in public session shall avoid personal information, for example by recording that "the Committee has resolved a staffing matter", and shall not identify individuals unless it is lawful and necessary to do so. Any recommendation on a reserved matter (4.2) shall be put to the Council for decision.

5. Confidentiality and data protection

- 5.1 Members of the Committee must keep confidential all information they receive about staff and applicants. This applies after they cease to be a member.
- 5.2 Personal data shall be handled in line with UK GDPR and the Data Protection Act 2018, and held securely in line with the Council's retention and data protection policies. Papers shall be circulated by secure means and returned or destroyed after meetings as appropriate.
- 5.3 Breaches of confidentiality may be a breach of the Code of Conduct and may expose the Council to legal claims.

6. Equality and fairness

- 6.1 The Committee shall ensure that all recruitment, pay, promotion, discipline and other staffing decisions comply with the Equality Act 2010 and are made fairly, consistently and on objective grounds.

7. Advice and support

- 7.1 The Committee may take advice from the Clerk (except where the Clerk is conflicted), the county association or National Association of Local Councils (NALC), an HR adviser, ACAS, or an employment solicitor, and may spend on such advice within the approved budget or the amount set aside by the Council.

8. Review

- 8.1 These Terms of Reference shall be reviewed by the Council annually at the Annual Meeting, and at other times where the law or the Council's needs change.

Adopted by resolution of the Full Council:

Chairman: _____ Date: _____

Clerk: _____ Date: _____