

Otley Town Council

Committee

Terms of Reference

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OTLEY TOWN COUNCIL

DELEGATION OF POWERS

Committees may exercise delegated functions on behalf of the Town Council under the terms of reference on the following pages, subject to:

- (a) The Town Council's approved Standing Orders, Budget and Financial Regulations;
- (b) Any previous minuted decision of the Town Council;
- (c) Any matters reserved to the Town Council by law.

DELEGATION

(1) General

- (a) Each Committee has its own Terms of Reference and is able to take decisions within the limits given to it. In general, Committees are responsible for advising on, monitoring and reviewing their areas of responsibility, identifying priorities for the future and working within the approved Committee budget.
- (b) Where powers or duties have been delegated to a Committee it shall be permissible for that Committee in turn to assign functions or delegate powers and duties to the Executive Officer/RFO or a Sub-Committee, provided that any action taken under delegated powers by the Executive Officer/RFO or a Sub-Committee shall be reported to the next meeting of the appropriate Committee or Subcommittee (or Council) for information.
- (c) A committee may set up a working group to investigate, consider and report back with recommendations on any issue.

(2) Chair's powers

- (a) The Executive Officer/RFO may, in consultation with the Chair and Deputy Chair of a Committee or Sub-Committee, decide or take action on such matters within the (Sub) Committee's terms of reference as will not admit of delay, subject to the members of the (Sub) Committee being informed/consulted via e-mail and a report indicating such action being submitted to the next meeting of the appropriate (Sub) Committee.
- (b) The Chair may, in consultation with the Executive Officer, decide whether to summon an extra-ordinary meeting of a Committee, or whether items submitted for Committee consideration will await consideration at the next scheduled meeting of the Committee.
- (c) That (a) above be taken to include the Mayor in the absence of either the Chair or Deputy Chair.
- (d) The Mayor may attend any Committee or Sub-Committee meeting ex officio with full voting rights.

(3) Delegation to the Executive Officer/RFO

Specific Delegations

The following list of delegations to the Executive Officer/RFO may, from time to time, be further delegated to the Council's officers at the discretion of the Executive Officer/RFO.

- (a) To be and carry out the functions of the Proper Officer under the Local Government Act 1972; to arrange and call meetings of the Town Council and its Committees and Sub-Committees and to implement decisions thereof.
- (b) The general management of the Council's services in accordance with the policies determined from time to time by the Council and its Committees, including dealing with correspondence and requests for information.
- (c) The day-to-day management of the Town Council's facilities.
- (d) The initiation of new arrangements and revision of existing arrangements for the improved management of Council establishment providing the estimated cost has been included in the current revenue budget.
- (e) The determination of the use of existing office accommodation, the purchase of equipment and the authorisation of repairs and maintenance to all buildings and equipment within the financial limit of the current revenue budget.
- (f) The management, development, appraisal and discipline of employees within the Council's approved establishment in accordance with the policies and procedures determined from time to time by the Human Resources Committee.
- (g) The exercise and virement within a Committee's budget, after approval by the Policy & Resources Committee.
- (h) To be the nominated Data Management Officer of the Council and be responsible for responding to requests made under the Freedom of Information Act.
- (i) Any action necessary in an emergency to protect the Council's property or assets or minimise its liabilities, subject to consultation where practicable with the Chair or Deputy Chair of Policy & Resources and to report back to the next appropriate Council meeting.
- (j) To be and carry out the functions of the Responsible Financial Officer under the Local Government Act 1972, including the maintenance of the Council's accounts, arrangements for internal audit and the preparation of budget estimates for the forthcoming year.
- (k) To make arrangements to pay the salaries and wages of employees of the Council.

Further Delegations

The Council may from time-to-time further delegate action to the Executive Officer alone, or to the Executive Officer in consultation with the appropriate Committee Chair. Such delegation will be clearly minuted and revised accordingly.

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OTLEY TOWN COUNCIL

HUMAN RESOURCES COMMITTEE

Role

To develop strategy and policy in all matters relating to human resources, health and safety and training and to take employment related decisions on behalf of the Council where directed.

Responsibilities

To provide effective and professional leadership in all matters related to the employees of the council and to ensure that the Council is exercising an adequate duty of care for all employees.

Membership, Chair, Quorum and Accountability

Number of Members	Six plus the Mayor (ex officio)
Substitute Members Permitted	No - Only members of the Committee may vote on agenda items. Non-members may attend and speak on any item, with the permission of the Chair but they may not make or second any proposals or amendments. Non-Members of the Committee are subject to the same rules as Committee members regarding confidentiality and the requirements of the Councillor Code of Conduct.
Appointments/Removals from Office	By resolution of Policy & Resources Committee
Restrictions on Appointment	None, but recommended that both genders be represented
Restrictions on Chair /Vice-Chair	None – Chair to be elected at the first Policy & Resources meeting after the Annual Council meeting in election year and at the March P & R meeting every subsequent year.
Quorum	Three
Number of meetings per Council Year	Minimum of three – to be convened by the Proper Officer with a Public Notice of the meeting in accordance with Schedule 12, Para 10 (2) of the Local Government Act 1972
Current Sub-Committees	None
Accountability	The HR Committee has delegated powers to act/make decisions on behalf of the council in relation to the defined terms of reference only; any recommendations outside of the HR Committee's terms of reference shall be made by Policy & Resources Committee
Meeting Restrictions	Due to the confidential nature of some items of business to be transacted it will 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.
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Terms of Reference

1. To employ and remunerate officers, except the Executive Officer/RFO, on such terms and conditions of employment as it considers appropriate provided the Council has first approved a budget to meet the recruitment and first year employment costs of any such officer and such costs will be contained by the offer of employment made.
2. To recruit, short-list and interview candidates for the post(s) of Executive Officer/RFO and recommend to Council that an offer of employment at a specified point on the appropriate NALC pay-scale be made to the selected candidate. This would be ratified by Full Council, the HR Committee then has the power to decide when the employment process is satisfactorily completed, including references received and medical certificates, and to confirm the offer of employment by issuing a contract of employment for acceptance.
3. To be responsible, jointly with the Chair of the P&R Committee, for appraising the performance of the Executive Officer/RFO annually (October/November each year) and develop a training/development plan.
4. To be responsible for the quality of all annual staff appraisals (held October/ November each year) and develop a training/development plan relevant to identified staff needs and the needs of the Council.
5. To approve for the Executive Officer/RFO leave plans and absence through sickness; to grant special or compassionate leave of absence; and to approve attendance on training courses within the approved budget.
6. To appoint three HR Committee Members to deal with and adjudicate on all complaints relating to the conduct of performance of employees and any issues of disciplinary and grievance in accordance with the Council's adopted grievance, disciplinary and whistle-blowing policies and procedures.
7. To appoint an Appeals Panel of three different HR Committee Members when required to hear appeals in accordance with the Council's disciplinary and grievance procedures.
8. To consider and implement any changes which are required to comply with Employment Law, Equality legislation, Health & Safety Law and Terms & Conditions of Service as laid down by the National Joint Council (NJC "Green Book") and recommended by National Association of Local Councils (NALC) and Society of Local Council Clerks (SLCC)
9. To prepare and approve job descriptions, person specifications, promotion and re-grading and annual performance objectives for all employees and agree any changes.
10. To review and agree the staff handbook and all HR policies.
11. To set and review the Business Continuity and Emergency Plan.
12. To be responsible for considering and making any recommendations to Council regarding staffing structure and the provision of office accommodation and working from home provision.
13. To appoint one of its members to act as Line Manager to the Executive Officer/RFO and to direct the line manager in his/her role and responsibilities. The line manager will report directly to the HR Committee should any decisions need to be taken in this regard.

14. To be responsible for preparing a draft budget for each coming financial year in respect of the functions of the HR Committee and to submit this to the Full Council for consideration by no later than 31st December in any year.
15. To invite specialist professional officers or advisers to attend meetings to provide guidance as to matters under discussion.
16. To consider and recommend training and professional development for Councillors and authorise the attendance of Members and Officers at conferences or courses.

Delegated Powers

- The functions identified in paragraphs 1 to 11 above are fully delegated to the HR Committee subject to any limitations or restrictions set out.
- The Executive Officer/RFO or in their absence the Deputy Clerk, is authorised to act as and carry out the duties of the Senior Officer of the Council as necessary under the Council's employment, complaint, grievance and disciplinary procedures.
- All matters of an urgent nature requiring settlement before the next meeting may be dealt with by the Executive Officer after consultation with the Chair and/or Deputy Chair but must be submitted for approval or otherwise to the next meeting of the Committee.

Note

At the first meeting of the HR Committee in each Council year, the order of business shall be as follows:

- a. Confirmation of the accuracy of the minutes of the last meeting of the Committee.
- b. Review of the Committee Terms of Reference.
- c. Review of the Committee Budget for the upcoming financial year.

Review

The HR Committee's terms of reference are to be reviewed annually at the first meeting after the Annual Council meeting.