



## PERSONNEL AND DEVELOPMENT COMMITTEE TERMS OF REFERENCE

The Personnel and Development Committee Terms of Reference were adopted by Council at its Council Meeting held on 11 May 2022.

### **1 Committee**

- 1.1 The Personnel and Development Committee is constituted as a Committee of Kennington Community Council in accordance with section 4 of the Council's Standing Orders.
- 1.2 The Committee will work closely with the Council's Clerk to provide assurance that the Council's management of employees meets statutory requirements, and that training of staff and councillors is relevant to current and future needs of the individuals as Councillors and the Council as an organisation.

### **2 Precedence**

- 2.1 Where there is any actual or perceived difference in interpretation between these Terms of Reference and the Council's Standing Orders or Financial Regulations, the Council's Standing Orders or Financial Regulations shall apply.

### **3 Members**

- 3.1 Four Councillors shall be appointed annually at the Annual Council Meeting as voting members. In addition, the Chair of the Council, unless he or she is one of the four appointed voting members, shall be an ex-officio member entitled to attend meetings, to speak, to propose or second a motion but not to vote.
- 3.2 Substitute members are permitted, provided two days' notice has been given to the Proper Officer.
- 3.3 Council may appoint up to two non-Councillors to be non-voting members of this Committee if they have relevant skills and experience which would be of benefit to its work; the Committee may recommend nominees to Council.
- 3.4 The Council's Clerk shall attend all meetings of the Committee, to provide advice and guidance and to record outcomes of the meeting.
- 3.5 The quorum of the Committee shall be three voting Members.
- 3.6 In the event of a vacancy arising on this committee, a replacement Councillor may be appointed during the year by the Community Council at a full Council meeting and serve until the Annual Meeting of the Council.

### **4 Chair**

- 4.1 The Chair is to be elected annually by the Committee at their first Meeting. In the event of the Chair resigning from that position, from the Committee or from the Council, a new Chair is to be elected at the next Committee meeting, to serve for the remainder of the year.
- 4.2 The Vice Chair (if there is one) is to be elected annually by the Committee at their first Meeting. In the event of the Vice Chair resigning from that position, from the Committee or from the Council, a



new Vice Chair is to be elected at the next Committee meeting, to serve for the remainder of the year.

- 4.3 The Chair of the Committee, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice Chair of the Committee (if there is one) if present shall preside

## **5 Voting**

- 5.1 Only Councillors referred to in paragraph 3 may vote at a meeting. In the case of an equal vote the Chair of the Council shall have a second or casting vote. Non-voting members may participate in discussions but may not vote.

## **6 Interests**

- 6.1 A councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his/her right to participate and vote on that matter.
- 6.2 Non-voting members should declare any relevant interest and withdraw during any discussion in which they have a conflict of interest.

## **7 Meetings**

- 7.1 The Committee will meet as the workload requires, but in any case, at least twice each year.
- 7.2 Of these:
- (i) One meeting to be held each year to review Terms of Reference; Staff Appraisal, training and development; all policies that relate to staff employment, staff contracts, job descriptions and training.
  - (ii) One meeting to be held each year to review all policies that relate to Councillor development and training; review progress against plan for Councillor development.
- 7.3 Additional meetings to be convened when necessary to deal with any other matter, including: performance and capability, grievance and employee code of conduct matters; recruitment to staff vacancies, or any other emerging staffing or councillor development matters.

## **8 Terms Of Reference**

- 8.1 To review the Terms of Reference of the Committee at least once during the year and make recommendations to Council for its approval at the Annual Council Meeting of Council or when necessary.

## **9 Minutes**

- 9.1 All Minutes shall be open for inspection by any Councillors, except where this would breach the rights of individuals who may be identified in the minutes.

## **10 Responsibilities**

- 10.1 Personnel
- (i) To draft and keep under review the staffing structure of the Council and make recommendations to the full Council as appropriate and, except where it concerns the



Clerk to the Council or would result in any increase in already approved employment budgets, exercise authority in relation to staffing.

- (ii) To make recommendations to the full Council regarding salaries and other payroll and non-payroll employment benefits, for review and inclusion in budgets. Approval of individual salaries and other employment payroll and non-payroll benefits will be retained by the full Council, meeting in closed session.
- (iii) To keep under review staff work/life balance, working conditions, health and safety and well-being, including the monitoring of absence and implement necessary actions for all aspects of Health and Safety Policy.
- (iv) To set up and monitor staff appraisal and development policies and recommend to the full Council for their approval.
- (v) To facilitate and monitor any professional certification or other training agreed with staff as a condition of employment.
- (vi) To keep under review all staff contracts of employment, terms and conditions and make recommendations the Council.
- (vii) To monitor the Council's employment policies and procedures in respect of changes to legislation and make recommendations to Council where appropriate.
- (viii) To appoint from members of the full Council a recruitment panel when necessary and recommend appointments to the Council. Recruitment panels will normally include 3 members in the case of appointment to the Clerk/Responsible Officer or Deputy Clerk posts; two members for all other posts. The Clerk/Responsible Officer may be invited to advise the recruitment panel where appropriate.

## 10.2 Development

- (i) To set up and keep under review the Training, Learning and Development Policy, applicable to staff and Councillors, for adoption by the full Council.
- (ii) To undertake skills audits from time to time, to assist with understanding development needs of staff and Councillors and to inform future training planning.
- (iii) To seek the views of the Clerk/Responsible Officer on training and development needs required for compliance with emerging regulations or best practice.
- (iv) In co-operation with the Finance and General Purposes Committee, to establish, monitor and update as required an annual plan, schedule and budget for training and development, for approval by the full Council.
- (v) To obtain feedback from any training or development activities undertaken and amend plans as required.
- (vi) Authorise commitment to incur training expenditure for any training courses in a Training Plan previously approved by Council.

## 11 Staff Appraisal, training and development

- 11.1 To receive and review staff appraisal of the Clerk/Responsible Officer in accordance with the agreed appraisal policies.
- 11.2 To receive, review and moderate staff appraisals of other staff as undertaken by the Clerk/Responsible Officer in accordance with the agreed appraisal policies.



**11.3** To identify training and development requirements through appraisal and agree staff training programmes.

## **12 Performance and Capability, Grievance and Employee Code of Conduct**

**12.1** To receive and consider any matters regarding an employee under the Council's Performance and Capability Policy and take whatever action necessary.

**12.2** To receive and consider any grievance raised by an employee under the Council's Grievance Procedure and take whatever action necessary.

- (i) To appoint a panel of three members of the Committee who have not previously been involved in the case. There may be insufficient members of the Committee who have not previously been involved. If so, the Grievance panel will be a committee of three members of the Council who may include members of the Committee. The Grievance panel will appoint a Chair from among its members.

**12.3** To receive and consider any matters of misconduct regarding an employee under the Council's Employee Code of Conduct Procedures and take whatever action necessary.

- (i) To appoint an Investigating Officer, without unreasonable delay, to establish the facts of the case.
- (ii) On completion of the investigation, the Investigating Officer will recommend whether a disciplinary hearing should be convened or some other step(s) taken in relation to the situation.
- (iii) If recommended by the Investigating Officer, to appoint a panel of three members of the Committee who have not previously been involved in the case. There may be insufficient members of the Committee who have not previously been involved. If so, the Code of Conduct panel will be a committee of three members of the Council who may include members of the Committee. The Code of Conduct panel will appoint a Chair from among its members.

**12.4** Performance and Capability, Grievance and Employee Code of Conduct Appeals

- (i) Appeals will be heard by a panel of three members of the Committee who have not previously been involved in the case. There may be insufficient members of the Committee who have not previously been involved. If so, the appeal panel will be a committee of three members of the Council who may include members of the Committee. The appeal panel will appoint a Chair from among its members.

**Policy Adopted: 11 May 2022**

**Review due: 10 May 2023**

### **Revision History**

<b>Version</b>	<b>Date</b>	<b>Comments</b>
Final v1.0	10 Jul 2019	Adopted version
Draft v1.1	12 Aug 2019	Draft amendments to v1.0
Final v2.0	14 Aug 2019	Adopted version



Draft 2.1	11 Sep 2019	Amended to remove Chair of Council as voting member
Final 2.1	11 Sep 2019	Adopted
Draft 2.2	29 Apr 2021	Amendments incorporating Council decision of 10 February 2021
Draft v2.3	1 Apr 2022	Amendments incorporating vice chair, non councillor, and for conformity with other committees. Alignment of Complaints to Council's Policies
Final v3.0	11 May 2022	Adopted by Annual Meeting 2022