

SWAFFHAM TOWN COUNCIL COMMITTEE STRUCTURE - DELEGATED AUTHORITY

ALL COMMITTEES *Generic terms of reference for ALL Committees are as follow:-*

1. All Committees can make recommendations to the full Council on any changes to the delegated authority approved as the terms of reference.
2. All Councillors can make a request to a Committee to refer an agenda item to full Council; providing they do not have a pecuniary interest in the issue.
3. All Councillors are entitled to attend Committee meetings as non voting members of the public (**with the exception of the Personnel Committee**). Non-Committee Councillors can speak on a specific item on the agenda only at the discretion of the Chairman by prior notification.
4. All Committees have full decision-making powers, unless their specific terms of reference states otherwise.
5. All Committees have the power to spend within the agreed budget and be responsible for monitoring during the financial year.
6. Additional expenditure not within the Committee budget must be referred to the Full Council for approval, unless this is funded from income generated by the Committee, in which case the Committee would have the power to spend within the extended budget.
7. All Committees have the option of referring any issue to the full Council for an opinion before making a decision or deferring the decision to the full Council.
8. All Committees (**with the exception of the Personnel Committee**) can co-opt non-Councillor members in an Advisory capacity i.e. no-voting. All Advisory non-voting members shall be entitled to participate in any open debate but shall not participate in any confidential discussions.

PERSONNEL COMMITTEE

*The constitution of the Committee shall be a minimum of four and a maximum of five members. The Mayor and Deputy Mayor shall be ex-officio members. Three members (**and two substitute members**) shall be appointed for a four-year term to coincide with the election of a new Council. A quorum shall be three members.*

9. The frequency of meetings shall be bi-monthly as a minimum or as frequent as deemed appropriate by the Personnel Committee or circumstances determine. All meetings shall be Clerked by the Town Clerk or in his absence the Deputy Town Clerk; with the exception of conducting part of the Town Clerk's annual appraisal.
10. Personnel Committee meetings are NOT open to the public and press, by resolution of the Council as publicity would prejudice the public interest by reason of the confidential nature of the business (Public Bodies - Admission to Meetings act 1960). N.B. One resolution of the Council can determine this at the approval of the Terms of Reference, i.e. that all Personnel Committee meetings are not open to the public.
11. The overall purpose of this Committee is to effectively and efficiently discharge the Council's duties as an employer. The Personnel Committee has full delegated authority to act except with increasing an agreed salary budget approved by full Council or making a decision that is contrary to a Council Policy.

12. Non-Committee members may NOT attend the Committee meetings; however, they are entitled to read through Personnel Committee minutes which are available at the Town Hall office (by appointment) but not in the public domain. A brief verbal report will be given to Councillors below the line at all full Council meetings **for information only (not for debate, unless an issue is referred to full Council for a decision)**. Non committee members are not entitled to confidential papers but may be given additional background information on some Personnel issues at the discretion of the Town Clerk or designated officer **(by appointment)**. ALL Councillors are duty bound to comply with confidentiality in relation to the Data Protection Act and the Council's collective overriding duty as an employer.
13. The following list of tasks is to be worked through and in conjunction with the Town Clerk as Head of Staff and in his absence the Deputy Town Clerk.
14. To undertake hearings Disciplinary and Capability matters in accordance with the Council's Grievance and Disciplinary Procedures;
15. To deal with Disciplinary and Capability matters to a final conclusion, only reporting to Council when the time for any appeal has passed;
16. To carry out the annual Appraisal of the Town Clerk.
17. To review, approve and monitor the Terms and Conditions of Service and Salaries;
18. To consider any appropriate changes to staffing levels;
19. To consider Staffing Reviews;
20. To work with the Town Clerk and oversee the recruitment and selection of Staff as appropriate;
21. To review, approve and monitor Employment Documentation;
22. To review, approve and monitor Job descriptions;
23. To review, approve and monitor Person Specifications;
24. To review, approve and monitor Contracts of Employment;
25. To manage Conference section of Staff Training Budget;
26. To review, approve and monitor Policies and procedures as follows, recommending policy change within their area of responsibility:

STAFF HANDBOOK (Including):

- Training and Development Policy
- Member and Officer Protocol.
- Stress Policy.
- Dignity at Work Policy
- Health & Safety Policy.
- Disciplinary and Grievance Policy and procedures.
- Equal Opportunities Policy
- Absence and Sickness Policy
- Time off in lieu & Flexitime Policy
- Employee Handbook
- Confidentiality Policy
- Poor Performance Policy & Procedure

- Harassment Policy
- Relationships at Work Policy
- Maternity Policy
- Paternity Leave Policy
- Adoption Leave Policy
- Parental Leave Policy
- Time off for Dependants Policy
- Flexible Working Policy
- Alcohol & Drugs Abuse Policy
- Bereavement Policy
- Vehicle Policy
- Whistleblowing Policy
- Anti-Bribery Statement
- Oil Spillage Policy
- Smoke Free Policy
- Data Protection Policy

27. To consider any other matters delegated to the Committee by the Council. The Personnel Committee shall make recommendations to the full Council for the following:

- Any actions incurring expenditure over and above agreed budgets.
- Salary budget for the forthcoming year for consideration by the Council.
- Permanent appointments following satisfactory probationary periods.

28. To review the terms and Conditions of the Personnel Committee on an annual basis with all other policies as part of the Council's Policy review programme.

DATA PROTECTION

Meetings

29. The Personnel Committee meet at least four times a year (currently bi-monthly). The Data Protection section of Personnel Committee meetings are open to the public. An agenda is prepared for each meeting and minutes written from each meeting. A report is presented to the next full council meeting by the Chairman of the Committee for adoption by the Council.

Committee Delegation

30. The Personnel Committee may set up a Data Protection sub-committee or working party to support its aims.

Aims and Objectives of the Committee

31. The Personnel Committee aims:

- To determine the purpose and manner of processing personal data according to the law
- To ensure that the Town Clerk as Data Protection Officer (DPO) has no conflict of interest with this process
- To ensure that councillors and staff receive ongoing and appropriate training for Data Protection
- To conduct a survey of the Information Audit, Privacy Notices and any Risk Management to ensure compliance with Data Protection

- To receive any reports from the **Town Clerk DPO** of any manifestly unfounded requests and confirm action to be taken
- To receive reports from the **Town Clerk DPO** of any investigation of breaches which might need to be undertaken
- To make an annual review of the GDPR Policy and recommend any changes to Council which might be required
- To recommend to Council any changes which may be required in Standing Orders in respect of **Data Protection**
- To recommend to Council any changes which may be required to the Job Description and Contract of Employment for the **Town Clerk in relation to Data Protection/DPO**.

Budget

32. The Personnel Committee does not have its own budget relating to Data Protection but will recommend any budgetary needs to the Council in respect of the administrative and staffing costs to implement and maintain Data Protection requirements.

N.B. GDPR Committee Brief agreed by full council on 9th May 2018 and added to Personnel Committee responsibilities.