

DITTISHAM PARISH COUNCIL
Incorporating the Hamlet of Capton and the Manors of Bozomzeal and Coombe

Topic or Issue: creation of a Personnel Committee

Date: 29/4/22

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Recommendation

That Dittisham Parish Council create a Personnel Committee (PC) and provide it with Terms of Reference.

That membership of the Finance Working Group (FWG) is increased to three.

That at least one of the Chair or Vice Chair are members of both PC and FWG.

That relevant training is recommended for members.

Update DPC Standing Orders 18 Handling staff matters to refer to the Personnel Committee.

Discussion

A Personnel Committee would be able to be empowered to carry out performance appraisals and to make annual leave decisions, for example. It could help manage hours/workload.

It is good practice but not a legal requirement to have a Personnel Committee and a Disciplinary and Grievance Procedure¹.

National Association of Local Councils Legal Topic Note 22 states:

Committees and sub-committees

14.

Disciplinary and grievance arrangements may be established by full council or by a staffing committee. The authority to decide a disciplinary matter, a grievance or an appeal can be delegated to a sub-committee. This should be confirmed in its terms of reference. Councillors with direct involvement in a disciplinary or grievance matter should not be appointed to a sub-committee or an appeal panel. An appeal panel should not contain any member who made the original decision.

DPC Standing Orders

DPC Standing orders 4 (a) and 4 (d) discuss the creation of formal committees and subcommittees.

DALC has advised that the best place for draft Terms of Reference for a Personnel/HR/personnel committee is 'Local Councils Explained'. It also has draft terms of reference for a Personnel sub-committee. As the reference text is currently not available, they have sent the relevant sections as a pdf. Please refer to the two pages provided with this Report. They contain important details.

If it chooses to create a Personnel Committee DPC's Standing Orders requires it to determine the following. The subcommittee's terms of reference are determined by the committee.

	Suggested - Personnel Committee	Personnel Subcommittee
terms of reference	See 'Local Councils Explained'	See 'Local Councils Explained' example, amend to state that pending creation of a Disciplinary and Grievance Procedure ² point one in accordance with

¹ Devon association of local councils call documents in policies accessed November 2021

² Devon association of local councils call documents in policies accessed November 2021

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		National Association of Local Councils Legal Topic Note 22
the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council	Two meetings, May 22 & November 22	
the terms of office of committee members		
appoint and determine members		
appoint the chair		
determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three	three	
determine if the public may participate at a meeting of a committee	no	
determine if the public and press are permitted to attend the meetings of a sub-committee and	no	
determine if the public may participate at a meeting of a sub-committee that they are permitted to attend	no	