



# HR, H & S and Data Protection Committee Terms of Reference, Remit and Delegation of Powers

## **Purpose of the HR, H&S and Data Protection Committee**

The Committee is appointed by Full Council to deal with all HR, H & S and Data Protection and is to oversee the organisation, employment, management and terms and conditions of employment on behalf of the Council. To deal with matters relating to Health & Safety with powers to act. To determine the purpose and manner of processing personal data according to the law.

## **Membership**

- Membership of the committee shall consist of three elected members of Holbeach Parish Council who will be appointed annually at the Annual Council Meeting as voting members. If a councillor resigns from the Committee/Council during the year a new councillor will be appointed at the next appropriate Full Council meeting.
- If a councillor resigns from the Committee/Council during the year a new councillor will be appointed at the next appropriate Full Council meeting.
- The committee shall be subject to a quorum of three members.
- To follow best practice, it is recommended that the Chair of the Council is not a member of the HR, H & S and Data Protection Committee

## **Chair**

- The chair of the committee will be elected by the members of the committee at either the Annual Parish Council meeting or its first meeting of the committee.
- It is advised that one member of the council should not be chair of more than one committee, in order to encourage wider participation.
- In the case of an equal vote, the Chair of the committee shall have a second or casting vote.

## **Meeting**

- The committee shall have no set calendar, meetings shall be called as and when necessary, by the Chair of the committee, the Clerk as directed or by two members of the committee by written request to the Chair at any time.
- Meetings will be minuted by Clerk, Deputy Clerk or a committee member.

## **Delegations of Power**

- The HR, H&S and Data Protection Committee has the delegated authority from Holbeach Parish Council.



- To be responsible for the management of the Council's HR, H&S and Data Protection matters and have the ability to prioritise and management workloads of employees in relation to these areas.
- To act as a committee in respect of Line Manager for the most senior member of staff / the Clerk, including but not limited to authorisation of the Clerk's allowances, expenses, subsistence, annual leave / TOIL, sickness or other absences and conduct the Clerk's appraisals.
- To deal with any grievance, disciplinary and capability matters to a final conclusion (in accordance with the Councils grievance and disciplinary procedure), only reporting to Council when the time for any appeal has passed.
- When required under the Council's grievance and disciplinary and capability matters procedures, appoint an appeals panel (who members will not be members of the HR, H&S and Data Protection Committee) who will have delegated authority to deal with any grievance, disciplinary and capability matters to a final conclusion (in accordance with the Councils grievance and disciplinary procedure)
- To monitor and deal with regular, or sustained staff absence matters to a final conclusion (in accordance with the Council's procedure) reporting to Full Council when required.
- To arrange for the execution of new employment contracts and agree modifications to terms and conditions of employment, if and when required and within budget constraints.
- To establish (at the commencement of employment) and review salary pay points for all staff in accordance with NJC pay scales set by Full Council and to be responsible for their administration and review. There will be no further pay progression once an employee reaches the maximum spinal column point for their salary scale without further negotiation, subsequent recommendation by the HR, H&S and Data Protection Committee and approval by resolution of the Full Council.
- To authorise expenditure within their delegated budgets for items under £5,000 excluding VAT, no expenditure may be authorised that will exceed the budget for that type of expenditure, other than by resolution of by the Council except in an emergency.
- In accordance with Financial Regulations 16.4 no tangible moveable property shall be purchased or otherwise acquired where the estimated value of any one item exceeds £1,000 except by authorisation from Full Council.

### **Other Roles & Responsibilities**

#### **Policies and Documents:**

- To monitor and review all policies and procedures relating to HR, H&S and Data Protection and recommend any changed to Full Council.



#### Budgets:

- To consider HR, H&S and Data Protection Committee budget requirements (in conjunction with the RFO) and recommend a draft budget to the Finance and Administration Committee.

#### HR:

- To ensure that the Clerk has everything required for Line Managing other staff members on a day to day basis.
- To establish and review performance management (including Annual Appraisals) and staff training programmes to ensure annual appraisals of staff are undertaken and that recommendations are reported to Full Council.
- To ensure Councillors and staff members receive ongoing and appropriate training for HR, H&S and Data Protection.
- To oversee the recruitment and selection process for members of staff, all appointments must be formalised by Full Council resolution.
- To review and manage matters relating to Health & Safety, including any matters arising from the Health & Safety Audit reports and to commission new reports as required, to produce an action plan to deal with such matters.

#### Data Protection

- To review and monitor Freedom of Information requests and responses, and receive any reports of data breaches and subsequent investigations and consider actions to be taken and ensure any recommendations are reported to Full Council.
- To review and consider the purpose and manner of processing personal data according to the law.
- To ensure that any member of staff processing data has no conflict of interest with this process.

#### Specific Sub-Committees or Panels

- Smaller and specifically focused sub committees/panels should be set up to deal with confidential personal matters, such as capability, discipline or grievances as provided for in the relevant council procedures.
- At the recruitment and selection panel should be set up to appoint staff, the interview view panel to consist of three councillors and Clerk or Deputy Clerk or a professional adviser if required who are involved throughout the recruitment and then the selection process.

#### **Closed Session**

Parts of the meetings of this Committee will be confidential to the members of the HR Committee and Clerk or Deputy Clerk (except where the Clerk is directly involved) with the press and the public excluded. Any Committee members that breach this confidentiality will

be reported to the Monitoring Officer and removed from the Committee following recommendation from the Monitoring Officer.

Version History	Date;	Review:
V1	14 <sup>th</sup> June 2021	9 <sup>th</sup> May 2022
V2	9 <sup>th</sup> May 2022	8 <sup>th</sup> May 2023
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