

B. TERMS OF REFERENCE OF COMMITTEES

Each committee has delegated authority to undertake all responsibilities and actions falling within its terms of reference.

COMMITTEE TERMS OF REFERENCE:

C. OTHER COMMITTEES

EMPLOYMENT AND REMUNERATION COMMITTEE

Terms of Reference

Overview

The role of the committee primarily relates to the employment and remuneration of chief officers and deputy chief officers. Full Council has delegated to the Committee the power to determine the terms and conditions on which employees hold office including procedures for their dismissal (s.112 Local Government Act 1972) and functions relating to local government pensions (regulations under s.7, 12 and 24 Superannuation Act 1972).

Functions

Full Council has delegated the following functions to the Employment and Remuneration Committee to be discharged in accordance with the Officer Employment Procedure Rules:

1. Appointments

- Make recommendations to full Council in relation to the appointment of the Head of Paid Service (s.4(1) Local Government and Housing Act 1989), Monitoring Officer (s.5(1) Local Government and Housing Act 1989), Chief Finance Officer (s.151 Local Government and Housing Act 1989), Electoral Registration Officer (s.8(2) Representation of the People Act 1983) and Returning Officer for local government elections (s.35 Representation of the People Act 1983).
- Appoint all other chief officers and deputy chief officers.
- Appoint a senior coroner for the Avon coroner area, subject to prior consultation with the other authorities in the coroner area and the separate written consent of the Chief Coroner and the Lord Chancellor.

2. Conduct and capability

- Consider any allegations/complaints regarding conduct or cases of capability (performance or health) in relation to chief officers and deputy chief officers, having regard to the model procedures and associated guidance of the Joint Negotiating Committee for Local Authority Chief Executives/Joint Negotiating Committee for Chief Officers of Local Authorities as appropriate. Where necessary to take action up to and including dismissal, except in relation to the Head of Paid Service, Monitoring Officer and Chief Finance Officer, where the Committee may recommend dismissal to full Council.
- The suspension of the Head of Paid Service, Monitoring Officer and Chief Finance Officer is delegated to the Chair of the Committee; the suspension of other chief officers and deputy chief officers is delegated to the Head of Paid Service.

3. Dismissals

- Determine any proposal to dismiss a chief officer or deputy chief officer on grounds of redundancy or some other substantial reason or the expiry of a fixed term contract where the authority has committed to renew it, except in relation to the Head of Paid Service, Monitoring Officer and Chief Finance Officer where the Committee may recommend dismissal to full Council.

4. Grievances

- Hear and determine any grievance submitted by the Head of Paid Service provided that it has been referred by the Monitoring Officer.
- Hear and determine any grievance submitted by an employee against the Head of Paid Service where referred by the Monitoring Officer or Director: HR, Workforce & Inclusion.

5. Terms and conditions of employment including remuneration

- Set the terms and conditions of employment for chief officers and deputy chief officers.
- Consider and make recommendations to full Council in relation to the Pay Policy Statement. (The Mayor should be involved

and due regard given to any proposals he may have before the statement is considered and approved by full Council).

- Agree with the senior coroner the amount of their salary.

6. Other matters

- Consider proposals for major organisational change affecting the chief officers or deputy chief officers.
- Monitor the development and implementation of the Council's Workforce Plan.
- Hear and determine any collective dispute where referred by the Director: HR, Workforce & Inclusion.
- Approving compensation for loss of office (ie, any payments not required by the contract of employment, including early release of pension benefits on grounds other than ill-health) in respect of a Group Director (including the Head of Paid Service) is delegated to the Chair of the Committee, who must seek the advice of the Chief Finance Officer and Monitoring Officer before approving any such payments. Approving compensation for loss of office in respect of any other chief officer or deputy chief officer is delegated to the Head of Paid Service. All cases where compensation for loss of office is approved will be reported to the Committee for information.

APPEALS COMMITTEE

Terms of Reference

Overview

The primary role of the Committee is to consider employee appeals against dismissal. The Committee also takes decisions on renewal and discharge of guardianship under the provisions of the Mental Health Act 1983.

Functions

Full Council has delegated the following functions to the Appeals Committee:

1. Hear and determine any appeal submitted by the Head of Paid Service, Monitoring Officer or Chief Finance Officer in relation to

disciplinary action short of dismissal.

2. Hear and determine any appeal against dismissal submitted by employees (except the Head of Paid Service, Monitoring Officer and Chief Finance Officer, where a full Council hearing is required).
3. Hear and determine any grievance appeal submitted by an employee where the grievance is against the Head of Paid Service.
4. Hear and determine any grievance appeal submitted by chief officers or deputy chief officers. (Any grievance appeal submitted by the Head of Paid Service will be heard by full Council).
5. Hear and determine any appeal submitted by chief officers or deputy chief officers regarding the classification of posts and ring-fence arrangements in the Methods of Appointment under the Council's Managing Change Policy.
6. Decide on guardianship discharge or renewal under the Mental Health Act 1983.
7. Decide an appeal against any decision made by or on behalf of the authority, except where another Council body is in place to decide that appeal.