

# HR Committee

5<sup>th</sup> March 2020



**Report of:** Director of Workforce and Change

**Title:** Terms of Reference for Human Resources Committee

**Ward:** N/A

**Officer Presenting Report:** Mark Williams, Head of Human Resources

**Contact Telephone Number:** (0117) 92 22000

## Recommendation

That the Committee recommends that the revised Human Resources Committee Terms of Reference be approved by the Full Council on 17<sup>th</sup> March 2020.

## Summary

This report seeks the views and endorsement of the Committee on the proposed terms of reference for the Human Resources Committee which will be considered at Full Council on 17<sup>th</sup> March 2020.

## The significant issues in the report are:

- The revised terms of reference for Human Resources Committee now reflect the constitutional arrangement for setting the pay of Executive Directors and Directors set out in the proposed Pay Policy Statement 2020/21.
- The terms of reference for the Human Resources Committee have also been updated to reflect more clearly its roles and responsibilities.
- The terms of reference for the Selection Committee are not affected.

## **Policy**

1. The Officer Employment Procedure Rules are part of the Council's Constitution and govern the involvement of Members in the employment of Executive Directors and Directors .
2. Terms of reference and membership of the HR Committee are set by Full Council.

## **Consultation**

### **3. Internal**

The proposals have been the subject of consultation with the Deputy Mayor – Finance, Governance and Performance and the Head of Paid Service who support the recommendation contained within the report.

### **4. External**

None required.

## **Context**

5. The revised terms of reference for the Human Resources Committee have been amended to reflect the arrangements for setting the pay of Executive Directors and Directors set out in the proposed Pay Policy Statement 2020/21. They were approved by this committee on 16<sup>th</sup> January 2020 and will be considered by Full Council on 17<sup>th</sup> March 2020. In summary, the Selection Committee will set the starting salary of an Executive Director and Director on appointment and any change in pay during tenure will be determined by the Human Resources Committee following a recommendation from the Head of Paid Service and Director of Workforce and Change.
6. The terms of reference for the Human Resources Committee have been updated to reflect more clearly its role and responsibilities. The committee's role in disciplinary matters concerning senior leaders is also more clearly stated.

## **Proposal**

7. That the Committee recommends the Human Resources Committee Terms of Reference be approved by the Full Council on 17<sup>th</sup> March 2020.

## **Other Options Considered**

8. None

## **Risk Assessment**

9. Failure to ensure that the Council's Constitution is up-to-date and compliant with the law will leave the Council at risk of legal challenge.

## **Public Sector Equality Duties**

- 10a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:
- i) Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
  - ii) Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to --
    - remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
    - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
    - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
  - iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
    - tackle prejudice; and
    - promote understanding.
- 10b) An Equality Impact Assessment has not been completed as no employee will be affected by the proposals.

## **Legal and Resource Implications**

### **Legal**

*The recommendations contained within the Report to amend the terms of reference for the Committees are in accordance with the law.*

*Advice provided by Husinara Jones, Solicitor/Team Leader, 12 February 2020*

### **Financial**

#### **(a) Revenue**

*Financial advice not sought.*

#### **(b) Capital**

### **Land**

Not applicable.

### **Personnel**

*“The proposed terms of reference clearly set out the roles and responsibilities of Members in staffing matters. The Council’s HR Policies of the council will be updated to reflect the revised constitutional arrangements when they have been agreed by Full Council.”*

### **Appendices:**

A – Human Resources Committee Terms of Reference (tracked changes)

B – Selection Committee Terms of Reference (for information)

## **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

### **Background Papers:**

None.