

Chigwell Parish Council
Terms of Reference

Personnel Committee (PC)

1. Purpose

The Personnel Committee (PC) is an advisory committee established to consider and make recommendations to Full Council on the Council's staffing matters, including transparency, compliance and effective administration of the Council's personnel responsibilities.

2. Legal Basis and Advisory Status

Statutory functions are conferred on the Council as a corporate body. Formal decisions about the discharge of those functions must therefore be made by Full Council unless they have been lawfully delegated.

This Committee is appointed as an advisory committee under section 102(4) of the Local Government Act 1972. Full Council delegates functions to the Committee under section 101 of that Act only to the extent set out in these Terms of Reference and any related Scheme of Delegation, Standing Orders or Financial Regulations.

- The Committee has no delegated authority to discharge the Council's statutory, legal or employment functions. Any formal decision to discharge the Council's statutory, legal or employment functions in relation to matters considered by this Committee must be made by Full Council, another committee with delegated authority, or an officer with an express officer delegation.
- No individual Councillor, including the Chair or Vice Chair of the Council, the Chair or Vice Chair of the Committee, or any political group leader, may discharge the Council's statutory, legal or employment functions in their own right.
- The Council may not delegate functions that legislation reserves to Full Council. These include, for example, levying or issuing the precept, deciding to borrow money, and adopting or revising the members' Code of Conduct.
- Full Council may at any time exercise a function that has been delegated to a committee, sub-committee or officer, subject to any legal or contractual constraints.
- Any officer delegation must be made to the Proper Officer, Responsible Financial Officer or another named officer, not to an individual Councillor. Where the Openness of Local Government Bodies Regulations 2014 require a written record of an officer decision, the record must be made, retained and published in accordance with those Regulations.

3. Membership

- The Committee shall consist of five [5] councillors appointed by Full Council at the Annual Meeting of the Council.
- The appointed membership shall include the Chair and Vice Chair of the Council plus the Chair, or Vice Chair in the event of duplication, of the Finance & Governance Committee, Community Services & Assets Committee and Planning Committee, or such other Councillor as Full Council may appoint to maintain five distinct members.
- The Chair and Vice Chair of the Committee shall be elected by the Committee at its first meeting following the Annual Meeting of the Council.
- All participation is subject to the Council's Code of Conduct, Standing Orders and any requirements relating to declarations of interest.
- No substitutes are permitted to ensure continuity and confidentiality in sensitive matters.

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- If a Councillor resigns from the Committee or Council during the year, a replacement Councillor shall be appointed at the next appropriate Full Council meeting at which an agenda item can be published for that purpose.

4. Quorum

- The quorum shall be one third of the total membership of the Council or a minimum of four councillors, whichever is greater, subject to the Council's Standing Orders.
- No business may be transacted unless the meeting is quorate.

5. Meetings

- The Committee shall meet at least four times a year.
- Meetings shall be called in accordance with the Council's Standing Orders and applicable legislation.
- Agendas and minutes shall be published in accordance with Standing Orders and relevant regulations.
- Members shall declare interest on agenda items in accordance with the Code of Conduct adopted by Chigwell Parish Council.
- The public and press may be excluded from the meeting by resolution of the Committee where the public interest in exclusion outweighs the public interest in allowing them to remain. Where it is known in advance that exclusion is likely, this shall be indicated on the agenda.
- Where confidential personnel matters are considered, members shall maintain confidentiality and shall handle reports and supporting papers in accordance with the Council's policies and legal obligations.
- Draft minutes shall be published on the Council's website as soon as reasonably practicable after the meeting and, in any event, within 10 working days. Draft minutes shall be replaced by approved minutes once approved by the Committee.

6. Voting and Participation

- Voting rights shall be governed by the Council's Standing Orders and these Terms of Reference.
- Only appointed members of the Committee may vote and participate at a meeting, subject to any declarations of interest and the Council's Standing Orders.
- Other councillors who attend but are not appointed members of the Committee may attend as members of the public and may speak only during any public participation session or where Standing Orders otherwise permit. They may not vote.
- Members of the public may attend and may speak only during public participation or where otherwise permitted by Standing Orders.
- Where the public and press are excluded, only appointed members, officers and any advisers invited by the Committee may remain for the confidential item.
- In the case of an equal vote, the Councillor presiding at that meeting shall have a second or casting vote where permitted by legislation and Standing Orders.

7. Areas of Responsibility

A. Personnel

- Consider and make recommendations on staffing matters, including recruitment, appraisals, salaries, training, staffing policies, staffing structures and HR administration.

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- Hear and review reports on staffing matters from officers and the appointed HR provider or other professional advisers.
- Consider and make recommendations on policies, procedures and actions that support compliance with employment law, HR good practice, equality, wellbeing, training and effective line-management arrangements.
- Review draft staffing budget proposals and staffing resource requirements and make recommendations to the Finance & Governance Committee and/or Full Council.
- Maintain confidentiality in all personnel-related matters and make recommendations on confidential staffing matters only through the appropriate Council process.

8. Limits of Authority

The Committee has no delegated authority to discharge the Council's statutory, legal or employment functions. It may consider matters, scrutinise information and make recommendations.

The Committee's recommendations do not bind the Council and do not authorise appointments, dismissals, disciplinary or grievance outcomes, contract changes, pay changes, expenditure, settlements or other legal or financial commitments.

The Committee may

- request reports from officers, the appointed HR provider or other professional advisers within the ordinary management arrangements of the Council;
- develop draft staffing policies, procedures, proposals, options appraisals and recommendations for consideration by Full Council or another committee with delegated authority;
- recommend drafting budgets, staffing structures, recruitment proposals, training proposals, policy changes and HR actions to Full Council, the Finance & Governance Committee or an officer with delegated authority; and
- recommend that Full Council, the Finance & Governance Committee or an officer with delegated authority take a decision.

The Committee may not

- appoint, dismiss, discipline, suspend or otherwise manage employees, or determine grievance, disciplinary, capability or appeal outcomes;
- approve salaries, pay awards, contract changes, settlements, expenditure or virements, or otherwise commit the Council to legal or financial obligations;
- direct officers, employees, the appointed HR provider or other professional advisers to act outside existing Council decisions, approved budgets, policies or officer delegations;
- make decisions reserved to Full Council or delegated to another committee or officer; or
- delegate Council functions to a Councillor or purport to authorise an individual Councillor to act for the Council.

Nothing in this clause prevents the Committee from making procedural decisions necessary for the conduct of its own meetings, such as agreeing minutes or resolving to exclude the public and press where legally permitted.

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9. Budget and Finance

- Under the guidance of the Responsible Financial Officer, the Committee may review financial information relevant to staffing and may prepare draft staffing budget proposals for consideration by the Finance & Governance Committee and/or Full Council.
- The Committee shall not approve expenditure or virements and shall not commit the Council to any financial liability.

10. Reporting

- The Committee shall report to Full Council through its minutes and by presenting recommendations about where a Full Council decision is required.
- Where the Committee does not meet before the next Full Council meeting, draft minutes may be presented to Full Council for information.
- Recommendations to Full Council shall identify the decision requested, the reason for the recommendation, any staffing or financial implications and, where relevant, whether the matter is reserved to Full Council.
- Confidential staffing matters shall be reported in a manner that protects personal data and confidential employment information, while meeting the Council's legal and governance obligations.

11. Best Value

The Committee shall have regard to the principles of Best Value when considering matters within its remit and when making recommendations.

Reference: Best Value Statutory Guidance as published by the Department for Communities and Local Government.

12. Review

- These Terms of Reference shall be reviewed annually at the Annual Meeting of the Parish Council or sooner if required.
- Considered and approved by the Council at its Annual Meeting on 21 May 2026.
- Review Date: May 2027.