

Staffing Committee

Dorset County Council



Date of Meeting	13 September 2017
Officer	Head of Organisational Development
Subject of Report	Terms of Reference and Role of the Staffing Committee
Executive Summary	<p>As this is the first meeting of the Staffing Committee since the County Council elections in May 2017 the new Committee are invited to review their terms of reference.</p> <p>The current terms of reference of the Committee are included as appendix 1. These reflect legal requirements that the overall terms upon which staff hold office are decided by councillors and that councillors only take an active part in individual staff appointments and discipline when this concerns the most senior managers.</p> <p>The agenda sheets for the last three meetings are included as appendix 2. These agenda sheets serve to illustrate that the role of the Staffing Committee has already extended beyond its strict terms of reference to include:</p> <ul style="list-style-type: none">• the monitoring of headcount and the cost of the non directly employed workforce and• holding senior managers to account for the effective management of staff attendance. <p>Appendix 3 sets out suggested revised terms of reference for the Committee to consider. These include a very specific focus upon proactive workforce planning to ensure that the Council has the right people with the right skills and the correct balance between directly and non directly employed staff.</p> <p>Whilst terms of reference provide a framework and scope within which the Committee may operate there is also a need to develop a clear programme of work for the Committee. Members are invited to indicate their priorities and focus for the work of the Committee, for officers to develop into a proposed programme of work.</p>
Impact Assessment:	Equalities Impact Assessment: None.

Terms of Reference and Role of the Staffing Committee

<p><i>Please refer to the protocol for writing reports.</i></p>	<p>Use of Evidence:</p> <p>This report seeks to develop the role of the Staffing Committee, drawing upon the terms of reference for similar committees in other principal local authorities.</p>
	<p>Budget:</p> <p>There are no direct budget implications.</p>
	<p>Risk Assessment:</p> <p>Having considered the risks associated with this decision using the County Council's approved risk management methodology, the level of risk has been identified as: Current Risk: MEDIUM Residual Risk MEDIUM</p>
	<p>Other Implications:</p> <p>None.</p>
Recommendation	Members are invited to review proposed new terms of reference for the Staffing Committee and to indicate their priorities and focus for the work of the Committee
Reason for Recommendation	To provide a focus for the work of the Committee, updating terms of reference adopted .. years ago and providing a focus upon workforce planning to meet the needs of the Council.
Appendices	<ol style="list-style-type: none"> 1. Current terms of reference of the Staffing Committee: http://dorset.moderngov.co.uk/mgCommitteeDetails.aspx?ID=139 2. Agenda sheets for previous meetings of the Committee http://dorset.moderngov.co.uk/ieListMeetings.aspx?Committeeld=139 3. Suggested new terms of reference
Background Papers	None
Officer Contact	<p>Name: Jonathan Mair, Head of Organisational Development Tel: 01305224181 Email: j.e.mair@dorsetcc.gov.uk</p>

Appendix 1 - Current terms of reference of the Staffing Committee

- (a) To determine the terms and conditions on which staff hold office (including procedures for dismissal).
- (b) To appoint Directors, Assistant Chief Executive and Heads of Service and to deal with the appointments process and recommend an appointee for the posts of Chief Executive, Monitoring Officer or Section 151 Officer.
- (c) To deal with issues relating to redundancy, disciplinary action or capability in respect of the Chief Executive, Directors, Statutory Officers and Heads of Service.
- (d) The award of discretionary payments under various Local Government and pension scheme regulations which involve the early introduction of pension benefits, at a cost to the county council, for business reasons or on compassionate grounds, in respect of the Chief Executive, Assistant Chief Executive, Directors, Statutory Officers and Heads of Service. This includes benefits arising from retirements or redundancy.
- (e) In the case of discretionary payments awarded under Local Government Pension Scheme regulations, to take decisions in accordance with the county council's '[Statement of Policy](#) on the Local Government Pension Scheme 2014 Discretions'.

Note: The Officer Employment Procedure Rules shall apply in respect of terms of Reference b and c above.

Membership: As a departure from the rules requiring political balance for this Panel, its membership will include:-
8 members to include the Chairman of the County Council, Leader of the Council and 6 other members (to be nominated by the Group Leaders).

Note: When sitting as an appointments panel or as a disciplinary panel:

- (a) For the appointment of or conducting a disciplinary hearing into the conduct of or hearing an appeal by the Chief Executive, Directors, Deputy Chief Executive, Monitoring Officer or Section 151 Officer or recommendations to Council for the appointment of Chief Executive, Monitoring Officer or Section 151 Officer, its membership will be varied to comprise the Chairman and Leader of the County Council or their nominees and three other members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member).
- (b) For the appointment of or a hearing into the conduct of the Assistant Chief Executive and Heads of Service, its membership will be varied to comprise three members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member).

Further note: the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 provide that the Head of Paid Service, Monitoring Officer and Chief Finance Officer may not be dismissed unless a procedure set out in the regulations has been followed. That procedure includes obtaining advice from a panel, the membership of which must include independent persons appointed under section 28(7) of the Localism Act 2011. Accordingly in relation to these officers the Staffing Committee may not impose the sanction of dismissal as this is a matter for the full County Council following advice from the Statutory Officer Panel.

Appendix 2 – Items included on Past Agendas

10 April 2017

- Management of Attendance 2016/17 – Quarter 3
- Sickness Monitoring in the Children’s Services Directorate (presentation)
- Headcount and FTE Figures and Non-Directly Employed Contract Workforce – Quarter 3 2016/17
- Equality and Diversity Policy
- Redundancy Costs – Quarterly Report
- Pay for Adoption Leave
- Modernising Employment Policies Review
- Senior Structures

30 January 2017

- Apprentice Scheme from April 2017
- Violence, Aggression and Harassment at Work Policy
- Revision to Alcohol, Drugs and Substance Misuse Policy
- PDR: Completion Rates and Quality of PDR Survey
- Pay Policy Statement 2017/18
- Redundancy Costs – Quarterly Report
- Adoption Leave – Review of Approach to Pay
- Social Work Recruitment and Retention
- Modernisation of Employment Policies and Practices

22 November 2017

- Headcount and FTE Figures and Non-Directly Employed Contract Workforce – Quarter 2 2016/17
- Management of Attendance 2016/17 – Quarter 2
- Sickness Monitoring in the Dorset Waste Partnership (presentation)
- Redundancy Costs – Quarterly Report
- Social Networking Policy
- Review of the Staff Code of Conduct
- Apprenticeships update
- Statutory Officer Panel Terms of Reference (Disciplinary Investigation Process for the Chief Executive and Statutory Officers)
- Senior Officer Pay, Terms and Conditions – Lessons Learned
- Review of Terms and Conditions

Appendix 3 - Proposed revised terms of reference of the Staffing Committee

- (a) To lead on workforce planning, proactively identifying the Council’s staffing and staff development needs and how these will be met.
- (b) To determine the terms and conditions on which staff hold office (including procedures for dismissal).
- (c) To hold senior managers to account for the effective management of staff, including management of attendance.
- (d) To appoint Corporate Directors and any other staff employed on “white book” terms and conditions and to recommend to the full Council appointees to the posts of Chief Executive, Monitoring Officer and Section 151 Officer.
- (e) To deal with issues relating to redundancy, disciplinary action or capability in respect of the Chief Executive and the other most senior officers conditioned to the “white book”.

Terms of Reference and Role of the Staffing Committee

- (f) To decide upon any request for the award of discretionary payments involving the early introduction of pension benefits at a cost to the county council in respect of the Chief Executive and the other most senior officers conditioned to the “white book”.

8 members to include the Chairman of the County Council, Leader of the Council and 6 other members (to be nominated by the Group Leaders).

Note: When sitting as an appointments panel or as a disciplinary panel its membership will be varied to comprise:

(a) the Chairman and Leader of the County Council or their nominees and three other members to be nominated by the Group Leaders for any matter concerning the Chief Executive, a Corporate Director, the Monitoring Officer or the Section 151 Officer and

(b) three members to be nominated by the Group Leaders on each occasion (one of whom should be the relevant Cabinet member) for any matter concerning one of the other most senior managers conditioned to the “white book”.