

## Employment Committee

### Terms of Reference

#### ESTABLISHMENT OF AN EMPLOYMENT COMMITTEE

Members considered the establishment of an Employment Committee. In most local authorities the senior staff (Chief Executive Officer, Deputy Chief Executive Officer and Directors) are usually on different contractual pay and conditions (JNC) to the remainder of the workforce. (JNC – Joint Negotiating Committee for Chief Executives of Local Authorities, NJC – National Joint Council for Local Government Services). This enables Senior Officers to either offer advice or determine the terms and conditions for other staff.

The Council's current structure has a two 2 Director model and all staff, including the two directors, are on NJC pay and conditions of service.

Whilst it is recommended that the Employment Committee considers terms and conditions and makes recommendation to Council, HDC are still bound to consult with Unison, as the recognised trade union, on matters which affect its members. This consultative obligation may be through the existing Employee Relations mechanism or through existing management arrangements.

Under the current constitution the Council has delegated the power to appoint staff, and to determine the terms and conditions on which they hold office (including procedures for their dismissal) to the Head of Paid Service. This power is contained within Section 112 of the Local Government Act 1972 and if members resolve to establish an Employment Committee to consider terms and conditions the delegation will need to be amended to reflect this change.

RESOLVED that

- i) an Employment Committee be established to consist of (7) members to be appointed by the Council in accordance with the proportionality rules set out in the Local Government and Housing Act 1989.
- ii) the function of consideration of the terms and conditions of employment of officers is referred to the employment committee which will make recommendations to Council to consider as appropriate.

## ITEM No. 4

iii) the current delegation to the Head of Paid Service set out in part F of Part 3 Section B of the Constitution be amended to delete reference to Terms and Conditions.

iv) the contractual conditions of the Director be changed to JNC conditions to negate the need for external advice to the Committee on an ongoing basis.

### Summary of Reasons

All officers are currently on the same pay/ terms and conditions of employment including the Head of Paid Service. Under the current Constitution, the Head of Paid Service has delegated authority to appoint staff and to determine the terms and conditions upon which such staff hold office including procedures for their dismissal. Should any situation arise whereby pay/ terms and conditions of employment need to change, it would seem inappropriate for staff currently on NJC contractual pay/ terms and conditions i.e. the Corporate Directors to make recommendations affecting the workforce as a whole whilst being subject to these conditions themselves. An Employment Committee is the appropriate body to consider terms and conditions and to make such recommendations to Council for consideration if all staff remain on the same pay/terms and conditions (see 12 for alternative options).

The Head of Paid Service will maintain responsibility for the appointment of staff and procedures for their dismissal. This is always subject to the consultation requirements set out in the Officer Employment Procedure Rules in Part 4 (8) of the Constitution.

With reference to the above scenario, the Committee would need to receive impartial external advice as all Officers would be conflicted.