

Joint Staff Advisory Committee – Proposed Terms of Reference

1. Membership

- 1.1 Councillors
 - 3 Members from Eastbourne Borough Council – including at least 1 Cabinet Member and 1 opposition member.
 - 3 Members from Lewes District Council – including at least 1 Cabinet Member and 1 opposition member.
- 1.2 Staff Representatives
 - 2 union representatives
 - 2 staff group representatives
- 1.3 Substitutes
 - Named substitutes can be appointed for Councillors and for staff representatives.

2. Quorum

- 2.1 At least 3 members of the Committee including 1 Councillor from each authority and 1 staff representative.

3. Chairing

- 3.1 The Chair will be appointed at the first meeting of each municipal year.
- 3.2 It will be normal practice for the chairmanship of the Committee to rotate between authorities and a staff representative (*eg year 1 - Lewes Councillor, year 2 - Eastbourne Councillor, year 3 - staff representative*).
- 3.3 A deputy chair will be appointed at the first meeting of each municipal year from any constituent group.

4. Frequency

- 4.1 The Committee will meet 4 times a year and will usually alternate locations between Eastbourne and Lewes.
- 4.2 Additional meetings can be called if required for any matter that needs to be considered urgently.

5. Status

- 5.1 The Committee will be an internal advisory committee (non-statutory).
- 5.2 It will make recommendations to each Full Council, Cabinet and Chief Officers as appropriate in relation to the matters set out in section 6 below.

6. Purpose of Committee

- 6.1 To act as an internal advisory committee which serves as a conduit between members and staff on employment related matters, and to make recommendations on such matters.
- 6.2 To consider and comment upon any policies relating to the application of new relevant legislation and equality issues.

- 6.3 To consider matters of health, safety and welfare of employees which are referred to the Committee for comment (which are not included in the terms of reference of the Joint Safety Committee).
- 6.4 Discussion of matters relating to individuals shall not be within the Committee's jurisdiction except as set out in 6.5 below.
- 6.5 In the event that any employee requests a Councillor presence at an appeal against dismissal, grading or grievance, the Assistant Director – HR and Transformation shall invite a member from this Committee to be part of the relevant appeals panel.

Joint Appointments and Appeals Committee – Proposed Terms of Reference

1. Membership

1.1 Councillors

3 Members from Eastbourne Borough Council including at least 1 Cabinet Member and 1 opposition member (politically balanced as far as possible).

3 Members from Lewes District Council including at least 1 Cabinet Member and 1 opposition member (politically balanced as far as possible).

Members shall be selected as and when the need for a Committee arises and where possible shall include the portfolio-holding Cabinet Member from each Council most relevant to the position which is the subject of the recruitment.

2. Quorum

2.1 The quorum shall be 3 members, with at least one from each Council.

3. Chairing

3.1 The chair will be elected at each individual meeting of the Committee.

4. Frequency

4.1 The Committee will be convened on an adhoc basis as and when required.

5. Purpose of Committee

5.1 To recommend to Full Council the appointment of the Head of Paid Service, and the designation of the Monitoring Officer and Chief Finance Officer (Section 151 Officer).

5.2 To make appointments to the post of statutory and non-statutory Chief Officers (with the exception of the appointment of the Head of Paid Service) and to determine the terms on which Chief Officers are appointed.

5.3 To deal with appeals against dismissal, grading and grievances by statutory and non-statutory Chief Officers.

Consequent changes to the Constitution, Scheme of Delegation and HR Policies

1. Scheme of Delegation

- 1.1 That the functions below be delegated to the Head of Paid Service in consultation with the Assistant Director- HR and Transformation in the Scheme of Delegation:
 - a. matters related to local government pensions;
 - b. appeals against dismissal, grading and grievances by employees of the Council with the exception of those employees whose appointments are reserved to the Appointments and Appeals Committee, and subject to paragraph 6.5 of the terms of reference of the Joint Staff Advisory Committee;
 - c. the power to appoint staff and to determine their terms and conditions of office (except those that fall with the remit of the Appointments Committee including the Head of Paid Service, Directors, Chief Finance Officer (Section 151 Officer), and Monitoring Officer) and Chief Officers.
 - d. Restructuring and creation of new posts.
- 1.2 That the functions below be delegated to the Assistant Director- HR and Transformation in the Scheme of Delegation:
 - a. Human Resources standards.
 - b. Human Resources policies and practices.
 - c. To convene a joint Appointments and Appeals Committee in accordance with its Terms of Reference as and when required.
 - d. To appoint a Panel in accordance with Section 102 (4) of the Local Government Act 1972, as amended for the purposes of advising the authority of matters relating to the dismissal of the authority's Head of Paid Service, Chief Finance Officer (Section 151 Officer) or Monitoring Officer, as required by the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, as amended. (As a matter of law the power to approve any proposed dismissal is reserved to Full Council).
- 1.3 Nothing in these delegations to prevent the Assistant Director – HR and Transformation from consulting with the Joint Staff Advisory Committee on the above matters if considered appropriate.

2. Political Balance Review

- 2.1 Whilst the deletion of the employment committee as a statutory committee changes the numbers included in the political balance calculation, the outcome of that calculation does not change the allocation of seats on Committee.

3. HR Policies and Scheme of Delegation

- 3.1 There is a need to amend any HR Policies or Procedures which refer to the Employment Committee, Joint Staff Committee or Appointments and Appeals Committees, to take in account the Terms of Reference set out in Appendix 1 and 2. It is recommended that these amendments and those required to the Council's Scheme of Delegation be delegated to the Assistant Director – HR and Transformation and Assistant Director – Legal and Democratic Services respectively.