



Lostwithiel Town Council

Staffing Committee – Terms of Reference

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1. General Principles

These Terms of Reference define the responsibilities and authority of the Staffing Committee. Under section 101 of the Local Government Act 1972, a Council may delegate certain functions to a Committee, except where legislation prohibits such delegation. A Committee may not delegate its functions further unless expressly authorised by the Council.

Lostwithiel Town Council (“the Council”) may establish:

- **Standing Committees** — Committees with ongoing responsibility to exercise the Council’s statutory functions, powers, and duties. Legal responsibility for delegated matters remains with the Council.
- **Advisory Committees** — Committees appointed to advise the Council. They do not make decisions on statutory functions but research, consider, and report to Council with recommendations.

All Committee meetings must be conducted in accordance with Lostwithiel Town Council’s Standing Orders, Financial Regulations, and all relevant Council policies.

Decisions on Council business cannot be delegated to individual Councillors or Committee members. All correspondence for the Council and its Committees must be conducted through the Clerk.

The **Staffing Committee** is constituted as a **Standing Committee** of Lostwithiel Town Council.

2. Objective

The Staffing Committee (“the Committee”) is established to oversee matters related to the employment, management, welfare and development of Town Council staff ensuring compliance with employment law and best practice.

3. Authority

The Staffing Committee is appointed by, and accountable solely to Lostwithiel Town Council. Its duties and delegated powers are determined by Full Council, which may amend these Terms of Reference at any time.

The Committee may not exceed the powers delegated to it by Full Council and must refer all matters outside its remit back to Full Council.

The Committee will operate in accordance with the Council's adopted Standing Orders which are based on the NALC model Standing Orders and all relevant NALC/SLCC employment guidance.

4. Membership

- Membership will consist of six Town Councillors, appointed annually at the Annual Meeting of the Council.
- At the first Committee Meeting after the Annual Meeting the Committee will appoint a Chair & Vice Chair.
- Vacancies will be filled by resolution of the Council.
- Persistent non-attendance may be referred to Full Council for a review of membership.
- The quorum for meetings is four members.
- Members must comply with all relevant Council policies, including the Code of Conduct, Equality Policy, and Data Protection policy.

5. Remit and Scope

5.1 General Responsibilities

The Committee will:

- Ensure the Council complies with employment law and good practice.
- Ensure that all staffing matters remain strictly confidential under Standing order provisions. Papers and discussions must not be disclosed outside the Committee unless authorised by Full Council.
- Ensure Council staffing policies and protocols remain current, lawful, and effective.
- Have regard to nationally negotiated terms and conditions, including the model contract for the Clerk.

5.2 Matters for Recommendation to Full Council

The Committee will consider reports from the Clerk and make recommendations to Full Council on:

- Staffing levels, office requirements, and associated budget allocations.
- All staffing-related policies.

5.3 Delegated Responsibilities

The Committee has delegated authority to:

- Recruit and select staff (excluding the Town Clerk/RFO) and ensure recruitment, induction, and probation processes comply with legal requirements.
- Keep staffing levels and the staffing structure under review and recommend changes to Full Council.

- Receive reports from the Town Clerk on the day-to-day management of staff and workloads.
- Monitor staff wellbeing, working conditions, work–life balance, and absence levels.
- Review staff contracts, terms, and conditions, and make recommendations to Full Council.
- Consider pay awards and make recommendations to Full Council.
- Arrange regular, objective performance reviews of the Town Clerk and take appropriate follow-up actions.
- Appoint a Committee member to seek external advice in the event of a dispute between the Council and the Town Clerk.
- Identify training needs through appraisal and agree staff training programmes.
- Ensure the Town Clerk has the necessary resources to manage staff effectively.
- Receive and consider complaints under the Council’s Grievance or Disciplinary Procedures and take appropriate action.
- When required, appoint an Appeals Panel which will consist only of Councillors who have taken no part in the original decision or investigation.
- Consider recommendations from the Appeals Panel and take necessary actions.
- Manage any staffing matters referred or delegated by Full Council.
- Support the Town Clerk in processes relating to staff dismissal (including redundancy), in accordance with Council policy.
- Support the Town Clerk in managing long-term sickness and workplace incidents in line with Council policy.

- The Town Clerk will withdraw from any part of a meeting where their own employment, performance or remuneration is under discussion.
- Recognise that Committee Members are collectively responsible for Council policy and accountable to the electorate.
- Undertake training identified as necessary for effective participation in the Staffing Committee.
- Observe that no Committee Member may issue instructions to the Town Clerk, any other employee, or any contractor, nor act on behalf of the Council in organising any function or service. All instructions to staff must be issued through the Town Clerk.

5.4. Delegated Authority to the Town Clerk

The Town Clerk acts as the Council's Proper Officer and Head of Paid Service for all employment matters and is authorised to:

- Act as Line Manager for all staff, with full responsibility for day-to-day supervision and management.
- Direct staff work and apply disciplinary procedures where necessary, in accordance with Council policy.
- Administer all staffing policies and procedures.
- Conduct annual staff appraisals.
- Provide recommendations to the Staffing Committee on salary reviews.
- Authorise staff overtime and expenses.
- Arrange payment of salaries, overtime, tax, NI, and pension contributions.
- Manage annual leave, flexi-time, sickness absence, maternity/paternity leave, and related matters.
- Prepare job descriptions and person specifications and place advertisements for staff vacancies.

- Delegate duties to staff as appropriate.
- Manage staff performance.
- Authorise staff training within the agreed budget.
- Commission legal or professional advice on staffing matters.
- Manage day-to-day matters relating to office accommodation.
- Authorise the provision of protective clothing.
- Oversee the Council's responsibilities under the Health & Safety at Work Act 1974, Equality Act 2010, GDPR & Health & Safety legislation.

6. Meetings

- The Committee will meet quarterly as set out in the Council's annual calendar.
- Additional meetings may be called when necessary to address urgent or exceptional staffing matters.
- The Committee must consider all relevant written comments received prior to the meeting.
- Only Committee members may vote.
- Protection Policy.

7. Record of proceedings

- Agendas will be issued at least three clear working days before each meeting and published on the Council's noticeboard and website.
- Supporting papers to the agenda may be withheld under FOI exemptions relating to personal data.
- Minutes will be taken by Council staff. Draft minutes will be circulated for comment within 48 hours to enable timely reporting to Full Council.

- Meetings will be open to the public unless the Committee resolves to exclude the press and public due to the confidential nature of the business, in accordance with the Public Bodies (Admission to Meetings) Act 1960.

8. Conduct

Committee members will:

- Abide by the Council's **Code of Conduct**.
- Declare any interests that may conflict with Council Policy or Committee business.
- Treat all individuals with dignity, courtesy, and respect
- Promote equality of access and opportunity.

No member may speak on behalf of the Council. All media enquiries must be referred to the Town Council office in accordance with the Council's Media Policy.

Voting will be by show of hands. Decisions will be made by majority vote. In the event of a tie, the Chair will have a casting vote.

9. Dissolution

The Committee may be dissolved by resolution of Lostwithiel Town Council at any time.