



ATTLEBOROUGH TOWN COUNCIL

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PERSONNEL COMMITTEE TERMS OF REFERENCE

Mandate

1. The mandate of the Committee is to effectively and efficiently discharge the Council's duties as an employer under the Employment Rights Act 1996 (as amended or replaced from time to time), also taking into account any other legislation impacting upon the employment of staff.
2. To enable this, it has been granted full delegated decision-making authority by the Council, subject to its not contravening the Council's wider policies.
3. It may nevertheless make recommendations to the Council; in which case the Proper Officer should place them on the agenda for resolution at its next scheduled meeting; and it must do so in the event that:
 - Any proposed expenditure might exceed agreed limits set by the Council.
 - Permanent staff appointments following satisfactory probation periods.
4. Its Chairman should provide a report, not less than quarterly, to a meeting of the Council.
5. In carrying out its mandate, the Committee is particularly responsible for:
 - The monitoring, review, and approval of:
 - Terms and conditions of service and pay.
 - Contracts of employment.
 - Job descriptions and other employment documentation.
 - Staff training needs.
 - Staffing levels.
 - The recruitment and selection of staff.
 - Making appointment recommendations to the Council following satisfactory probation.
 - The fair and impartial handling of disciplinary matters.
 - The fair and impartial handling of staff grievances.
 - Such other matters as may be delegated to it by the Council.

Membership

6. The Committee should comprise five members (to include the Mayor and Deputy Mayor) appointed by the Council for a four-year term to coincide with the Council election cycle. Casual vacancies arising should be filled for the remainder of the cycle then current.

Meetings and Procedure

7. The Committee should meet as often as it deems necessary for the efficient and timely execution of its business.
8. Unless otherwise directed by the Council, the Committee's Chairman and Deputy Chairman should be elected by its members at the first Committee meeting of each election cycle.
9. The quorum for a meeting of the Committee is three.
10. Committee decisions should be made by a majority of those present and voting. In the event of a tie, the Committee Chairman on the day may give a casting vote.
11. In the interests of transparency, all Committee meetings should be open to the press and public except to the extent that confidential or sensitive business dictates otherwise. All confidential or sensitive business must be considered 'below the line' in accordance with the legal provisions then in place for the exclusion of the press and public.
12. Members of the Council, not being members of the Committee, may request to attend all or part of any Committee meeting but may not do so unless a majority of the Committee consents. In the interests of efficiency, such requests and consents should be made and dealt with before the meeting takes place (by email or other expedient means). A confirmatory motion to approve any such attendance should be put at the meeting concerned. If it is passed, the Councillor concerned may participate in the discussion of the agenda item(s) for which he/she has been admitted but may not take part in any vote. Any Councillor so admitted shall not have access to any confidential papers unless the Committee decides otherwise but may be briefed before the meeting by its Chairman and/or the Clerk at their sole discretion.
13. The Committee, if at its sole discretion it deems it expedient, may invite outside specialists to attend and participate in (or to observe) all or part of any meeting on a non-voting basis.
14. No employee may service or attend any part of a Committee meeting at which his/her personal case is to be discussed, except to the extent that, and only for as long as, the Committee at its sole discretion deems it necessary or desirable for him/her to be present.
15. All Councillors and staff attending a meeting of the Committee should be mindful at all times of the requirements of Data Protection Act 2018 and of the need for confidentiality on any personal or otherwise sensitive matter discussed there; and of the Council's collective responsibilities under employment legislation.
16. The agenda for any meeting should be prepared by the Town Clerk in consultation with the Committee Chairman (or in his/her absence, with its Deputy Chairman). Minutes of all Committee meetings should be taken, recorded in a transparent manner, and permanently stored; and presented to the next meeting for approval. The agendas and minutes of all Committee meetings should be posted in a timely manner on the Council's website; but sensitive or confidential matters should first be summarised or redacted as appropriate.
17. Committee meetings may take place online to the extent that the law permits or requires it.

Attleborough Neighbourhood Plan Committee : Terms of Reference

The Attleborough Neighbourhood Plan (referred to from now on as 'the Plan') means the document 'Attleborough Neighbourhood Plan 2016-36' that was legally 'made' on 18 January 2018. A copy may be found on the websites of Attleborough Town Council and Breckland Council.

The Plan is intended to be community led. Its projects and vision will be delivered over the remainder of those twenty years by the Attleborough Neighbourhood Plan Committee (referred to from now on as 'the Committee') in partnership with local community members, public and commercial bodies and other stakeholders. The Committee has been created by Attleborough Town Council (referred to from now on as 'the Council').

Mandate

The mandate of the Committee is to ensure the delivery of the Plan in a co-ordinated and timely manner by providing strategic management of the Plan process.

To enable this, it has been granted full delegated decision-making authority by the Council.

It may nevertheless make recommendations to the Council, in which case the Proper Officer should place them on the agenda for resolution at its next scheduled meeting.

Its Chairman should provide a report, not less than quarterly, to a meeting of the Council.

It should regularly review its budget requirements and agree them as appropriate with the Council, having regard to the Council's own budgetary timescales.

It may seek legitimate alternative funding opportunities and is encouraged to do so.

In carrying out its functions, the Committee should have regard to the need for transparency and to the desirability of the Plan's implementation being community led.

Membership

The Committee should comprise fifteen members, namely seven Town Councillors appointed by the Town Council; one Breckland District Councillor appointed by Breckland Council; and seven non-councillors appointed by the Committee.

The non-councillors may include local residents, representatives from local businesses and community groups and other key stakeholders. At the Committee's discretion, they may be appointed by invitation or by a written or verbal recruitment process.

Committee and Sub-Committee members will be expected to abide by the Council's Standing Orders and in particular to declare personal interests whenever they are relevant to any item under discussion.

Meetings and Procedure

The Committee should meet as often as it deems necessary for the efficient and timely execution of its business but not normally less than monthly.

The Committee's Chairman should be elected by it from among the Town Councillors.

The quorum for a meeting of the Committee is five, to include no less than three of the Town Councillors. No decisions may be made without a quorum.

Committee decisions should be made by a majority of those present, entitled to vote and voting. In the event of a tied vote, the Committee's Chairman shall have a casting vote.

Legally, only members of the Council may vote but non-councillors may engage fully in discussion and should be asked in principle whether or not they are in favour of a motion before any vote is taken.

Minutes of all Committee and Sub-Committee meetings should be taken, recorded in a transparent manner and permanently stored. The Committee may appoint an assistant for this and similar purposes, who may but need not be a member of the Council's staff.

The agendas and minutes of all Committee and Sub-Committee meetings should be posted in a timely manner on the Council's website.

Meetings of the Committee and of any Sub-Committee may take place online to the extent that the law permits or requires it.

Sub-Committees (see also the three paragraphs immediately preceding)

The Committee may create Sub-Committees to consider specific objectives of the Plan.

The Committee should determine the membership of any Sub-Committee and in doing so should have regard to the desirability of community involvement wherever practicable.

The Committee should provide any Sub-Committee with clear written terms of reference, including the manner of the conduct of its business and the entitlement or otherwise of its members to vote.

Subject to direction by the Committee, a Sub-Committee should meet as often as it deems necessary for the efficient and timely execution of its business.

Except as explicitly directed by the Committee, a Sub-Committee has no executive powers and should pass its recommendations in writing to the Committee Chairman for consideration at the next scheduled meeting of the Committee.

If the Committee votes to reject any recommendation of a Sub-Committee, it should state and minute its reasons.

This document was approved by the Council at its meeting held on 7 September 2020.

Meeting Schedule for Ordinary Meetings for the municipal year 2021-2022

Monday 7th June 2021 (Virtual meeting if permitted under law, otherwise cancelled)

Monday 5th July 2021

Monday 2nd August 2021

Monday 6th September 2021

Monday 4th October 2021

Monday 1st November 2021

Monday 6th December 2021

Monday 10th January 2022

Monday 7th February 2022

Monday 7th March 2022

Monday 4th April 2022

Monday 9th May 2022 (Annual Meeting)



Attleborough Town Council

STANDING ORDERS

2021

These standing orders replace all previous versions and remain in force until amended or replaced by resolution of the Town Council.

A The Context of Attleborough Town Council

- A1 The Council is a local authority constituted under the Local Government Act 1972.
- A2 It is a third-tier local authority, covering the parish of Attleborough. It therefore seeks to be community led and encourages community involvement.
- A3 The first-tier local authority for Attleborough is Norfolk County Council. The second-tier authority is Breckland Council. The three tiers sometimes work together but are independent of each other and for most purposes are not answerable to each other.
- A4 Unlike private-sector organisations, which have freedom to act as they please within the law, a local authority may only do such things as the law specifically permits or requires it to do. *This can be a source of frustration to those used to the private-sector way of doing things, but it is the legal framework within the Council operates.*
- A5 The Council comprises fifteen elected or co-opted councillors; or such other number as may be determined from time to time by Breckland Council (as electoral authority).
- A6 The Council, sitting as such, is the decision-making body (subject to Standing Order A7 below).
- A7 The Council may by resolution delegate individual functions (and decisions on them) to a committee, a sub-committee or to the Clerk; but not to any individual councillor, including the Chairman. *The Chairman is a 'first among equals' among Councillors but is not in any sense 'the boss' as he or she might be in the private sector. To the extent that there is a 'boss', it is the full Council, sitting as such.*
- A8 The Council is supported by a team of administrative and manual employees.
- A9 The Council's administration team is led by the Clerk (who is also the 'Proper Officer' for legal purposes) and a Responsible Financial Officer, who is usually the Clerk but need not be. These roles should only be undertaken by a Councillor in an emergency and even then, only on an unpaid basis (except for out-of-pocket expenses).
- A10 The Clerk is responsible for carrying out the Council's decisions and ensuring that it meets all its legal obligations in a timely manner.
- A11 The Clerk is answerable to the Council but not to any individual Councillor.
- A12 The Clerk and his/her staff should remain politically neutral in the execution of their duties and be impartial in all their dealings with Councillors.
- A13 Councillors may seek advice from the Clerk but are not answerable to him or her in any way and are responsible for their own conduct.
- A14 Councillors (especially when acting as such) should have regard to the Council's Code of Conduct in all their dealings with staff and others.
- A15 Councillors and staff should have regard to the Council's Member Officer Protocol in all their dealings with each other.
- A16 Press releases on behalf of Attleborough Town Council must be approved by the Council before being released.

B Meetings

- B1 Meetings of the Council shall normally be held monthly at 7.00 pm on the first Monday of the month; or if this is a bank or public holiday, on the second Monday, unless otherwise agreed by the Council.
- B2 Outside the normal meeting cycle in Standing Order B1, the Chairman (or any two councillors acting together) may convene an extraordinary meeting of the Council. The legal process for doing so will be found in the Council's Meetings Protocol.
- B3 Meetings of the Council shall normally be held in Attleborough Town Hall.
- B4 Meetings of the Council may in exceptional circumstances be held at such times and in such places (other than licensed premises) as it considers expedient.
- B5 Meetings of Council Committees, Sub-Committees and working parties may (unless otherwise directed by the Council) be held at such times and in such places as they consider expedient.
- B6 At the discretion of the Council, any meeting mentioned in Standing Orders B3 or B5 may alternatively take place online to the extent that the law permits it. In such a case, the Council's Virtual Meeting Protocol shall apply.
- B7 The Clerk should normally prepare the agenda for any Council, Committee or Sub-Committee meeting, in consultation with the relevant chairman. This should clearly indicate the time and venue and the business to be discussed or decided.
- B8 Any member may ask the Clerk to include an item of local concern on an agenda. This should be done in good time and should not be unreasonably refused.
- B9 The length of meetings shall be determined by the relevant Chairman and should be sufficient to transact the business listed on the agenda. Should the meeting exceed 2 hours any member may propose an adjournment to a later date.
- B10 The Clerk, at least three clear days before any meeting, shall give the relevant councillors or committee members and any invited guests notice of that meeting, by email where possible, in the form of a copy of the agenda and any supporting papers; shall also post these on the Council's website; and shall display the agenda on the Council's public notice boards and in such other places as he/she may consider expedient, or the Council may direct (including social media).
- B11 For the purposes of Standing Order B10, 'three clear days' does not include the day of the meeting, the day the agenda is published, a Sunday, any bank or public holiday or any day appointed for public mourning or thanksgiving.
- B12 Any Councillor or Committee member unable to attend a meeting should submit their apologies to the Chairman through the Clerk, stating the reason. This should be done before the meeting unless circumstances prevent it. Apologies and reasons should be recorded in the minutes of the meeting concerned.
- B13 The May meeting each year shall be the Council's Annual Meeting.
For the avoidance of doubt, this is not the same as the Annual Parish Meeting.
Notwithstanding Standing Order B1, the Annual Meeting in an election year shall not be held before the new Councillors take office but within fourteen days afterwards.

- B14 The first items of business at the Council's Annual Meeting shall be the election of a Chairman and Deputy Chairman, who in normal circumstances shall then remain in office until their successors have been elected at the following Annual Meeting.
- B15 The Chairman and Deputy Chairman may serve for more than one consecutive term but in order to do so must be re-elected annually at the Annual Meeting with a clear majority of those present and voting.
- B16 The Chairman and Deputy Chairman shall be designated the town's Mayor and Deputy Mayor respectively for the duration of their terms of office.
- B17 In the event of the resignation or death of the Chairman or Deputy Chairman, a replacement shall be elected at the next meeting of the Council and in normal circumstances shall serve for the remainder of their predecessor's term of office.
- B18 Meetings of the Council shall be chaired by the Chairman or in his absence by the Deputy Chairman. If both are absent or unable to act, those Councillors present shall elect one of their number as Acting Chairman for that meeting only. The Clerk should never take the chair.
- B19 Meetings of any Committee or Sub-Committee shall be chaired by the person elected or appointed as its Chairman under its terms of reference. If he or she is absent or unable to act, and unless those terms of reference direct otherwise, Standing Orders B15 and/or B16 (as appropriate) should be followed as if references to the Council were references to that Committee or Sub-Committee.
- B20 The Chairman of any meeting referred to in Standing Orders B18 and B19 may conduct it as formally or informally as he or she sees fit; but shall do so completely impartially and with full regard to these Standing Orders. In the event of any discord or difficulty, however, he or she (or the Council by resolution) may invoke the Council's Meetings Protocol for the agenda item concerned.
- B21 The Clerk (or a member of staff deputed by him/her) should be present at any meeting referred to in Standing Orders B18 and B19 in order to record it (see Standing Order B28) and to advise the Chairman on points of law and procedure.
- B22 No meeting shall take place without a quorum. In the case of the Council, the quorum is five Councillors. In the case of a Committee or Sub-Committee, it is the number specified in its terms of reference. If no number is specified there, it is one-third of those members entitled to vote at it, rounded up to the next whole number if this leaves a fraction (except that in no case should it be fewer than three).
- B23 In the interests of transparency, no decision shall be made on any significant item that is not clearly stated on the agenda.
- B24 All Councillors or Committee members must be allowed an equal opportunity to speak on any agenda item but should do so as briefly as possible. Except when a point of order is raised, the Chairman shall not allow heckling or interruptions.
- B25 Except where the law otherwise requires, all decisions shall be made by a majority vote on a motion that has been proposed and seconded. In the event of a tie, the Chairman may exercise a casting vote. If he or she elects not to do so, the motion fails and the status quo shall prevail.

- B26 Voting shall be by a show of hands or such other method as the Council, Committee or Sub-Committee deems expedient; but the Chairman shall at all times ensure that every Councillor or Committee member present has voted or abstained.
- B27 Any member may request a recorded vote on any agenda item at any meeting, in which case the Clerk (or such other person as may be keeping the official record) shall include in the minutes a list of all those voting on it and of which way they voted.
- B28 All decisions taken shall be minuted, along with the date, time, and nature of the meeting; details of those present (or absent with apologies to record); any declarations of interest made and any consequent withdrawals from the meeting; and public participation questions together with any subsequent answers given by the Council (if held).
To facilitate this, meetings shall be electronically recorded (and the recordings shall be securely retained for a minimum of twelve months after the date of the meeting).
- B29 The Clerk shall make the minutes of every meeting available to members of the Council (or of the relevant Committee or Sub-Committee) and publish them on the Council's website, no later than five working days after it has taken place.
- B30 The minutes of any meeting shall be placed on the agenda of the next following meeting for approval by resolution (subject to any agreed amendments) and for signature by the Chairman. In the case of any Committee or Sub-Committee that has been disbanded, they shall be approved at the next meeting of the Council (or Committee in the case of a Sub-Committee).
- B31 Subject to Standing Order B32, members of the press and public may attend any meeting and may film or record it to the extent permitted by law; but they may not participate in it except when invited to do so. The Clerk shall make appropriate provision for such participation on the agenda. Invited guests, including District and County Councillors, have no special privileges in this respect and should not attempt or be allowed to intervene except during any specific provision made for them on the agenda (unless the Council first resolves to suspend this Standing Order B31 for a particular agenda item or items). *For the sake of clarity, this restriction does not apply to District or County Councillors who are also members of the Town Council.*
- B32 Where business of a sensitive or confidential nature is to be transacted, the Council, Committee or Sub-Committee may resolve to suspend Standing Order B31 and exclude members of the press and public (including any guests) from all or part of the meeting concerned. Councillors are warned that it would be legally unwise (and potentially a breach of the Code of Conduct) to fail to do so. Whenever this seems likely to be necessary, the Clerk shall state the fact clearly on the agenda.
- B33 Standing Order B32 shall not apply in the case of any specialist invited by resolution of the Council to advise it on any matter to be discussed; but any such specialist may only remain during any agenda item for which his or her advice has been sought; and even then only for such part of it during which his or her input is needed.

C Committees, Sub-Committees & Advisory Committees

- C1 The Council may resolve to create a Committee to carry out any of its functions (excepting any proscribed by law).
- C2 The Council shall provide any such Committee with written terms of reference.

- C3 Terms of reference shall include clear details of the Committee's remit and membership and provision for it to submit a regular report to the full Council.
- C4 If permitted by its terms of reference, a Committee may appoint a Sub-Committee to help it meet its terms of reference; and shall do so if so directed by the Council.
- C5 A Committee shall include no less than two Town Councillors.
- C6 Other than a Finance Committee, a Committee's or Sub-Committee's membership may include non-members of the Council, but such members shall have no vote unless it is expressly permitted in the relevant terms of reference.
- C7 The Council (and any Committee or Sub-Committee if permitted by its terms of reference or authorised by resolution of the Council) may appoint Advisory Committees or Working Parties to report back to it on any aspects of its functions. These need not include any Councillors in their membership but shall be given clear written terms of reference, which shall not include any decision-making powers.
- C8 The Council may resolve at any time to dissolve any of its Committees, Sub-Committees, Advisory Committees or Working Parties. Unless otherwise directed by resolution of the Council, any Committee or Sub-Committee may do likewise.

D Standing Orders & Procedural Documents

- D1 This document constitutes the Council's principal procedural standing orders.
- D2 The Council may resolve to implement other standing orders, rules, regulations, or protocols to govern its activities; and shall do so where the law so requires.
- D3 Any document adopted under Standing Order D2 shall be deemed to constitute a sub-section of these Principal Standing Orders.
- D4 Except where the law otherwise requires, any Standing Order may by resolution of the Council (or Committee or Sub-Committee as the case may be) be temporarily suspended for the duration of a particular agenda item or items.
- D5 Any Standing Order not required by law may be revoked by resolution of the Council.
- D6 The Council shall appoint a Standing Orders Review Committee, to contain at least three Town Councillors and such other members as it may deem expedient, with a remit for it to keep the Council's Standing Orders under review and to meet not less than annually with a view to making recommendations to the Council on any new material that needs to be added and any errors or omissions that need correction.
- D7 The Clerk shall, without delay, provide a full set of the Council's Standing Orders (as defined in Standing Order D3) to all new Town Councillors on election or appointment, and to any existing Councillor on request.