

# TERMS OF REFERENCE AND CONSTITUTION OF THE STAFF COUNCIL

Name of Policy	<b>Staff Council Terms of Reference</b>
Person/posts responsible	<b>Staff Council Chairman</b>
Date approved/adopted	<b>1<sup>st</sup> May 2015</b>
Approved by	<b>Executive Councillor for Transformation and Customers Employment Committee Chairman Employment Committee Vice-Chairman Managing Director</b>
Date amended	<b>8<sup>th</sup> May 2019</b>
Amended by	<b>George McDowell - Staff Council Chairperson</b>

## **Purpose of the Staff Council**

Our purpose is to maintain good employee relations, support all staff and ensure that the views of staff are considered in relation to proposed changes to employment matters.

### **1 Introduction**

- 1.1 The Council strives to create and maintain a working environment which is conducive to the achievement of the organisational, team and individual objectives and which promotes effective and harmonious working conditions.
- 1.2 The Staff Council will aim to communicate with staff, promote the work of Staff Council and feedback to staff, on issues of relevance to the workforce
- 1.3 The Staff Council shall comprise of a maximum of 13 elected HDC employee representatives for the Council's services.

### **2 Objectives**

- 2.1 It is important for efficiency and for good employee relations that:
  - (a) The Staff Council and Senior Leadership Team are kept informed of matters of mutual interest.
  - (b) The views of the Staff Council are sought on existing practices and policies, and on proposed changes which would affect staff, at the earliest opportunity.
  - (c) Trust and communication exists between the Staff Council and Management.
  - (d) Staff Council representatives will maintain confidentiality on matters relating to Staff Council, except when consent has been given (usually by the Managing Director or Staff Council Chairman) to share information outside of the group.
  - (e) Staff Council will maintain anonymity for staff when requested.
  - (f) An annual schedule of meetings with the appropriate groups will be agreed at the start of each financial year. Please see Appendix 1 for meetings.
  - (g) The Staff Council is supported with appropriate training.
  - (h) Staff Council representatives attend every Employment Committee and have the opportunity to contribute, question and challenge matters of mutual interest.
- 2.2 The general objectives of the Staff Council are:
  - (a) To promote effective means of communication between each other as Staff Council Representatives, HDC Employees, Management and Elected Members.
  - (b) To engage in regular consultation relating to organisational change, supporting the organisation on issues that are agreed with Staff Council and to represent employees and positively contribute and add value to the process.
  - (c) To effectively contribute to discussions relating to policy development and locally agreed terms and conditions of employment and to communicate the views of staff to Senior Management.
  - (d) To support employees, as required, in all employment related matters.
  - (e) Work effectively as a Staff Council group.

### **3**      **Functions**

3.1      In pursuance of these general objectives, issues may include any of the issues below although this list is not exhaustive:

- (a)      Management objectives.
- (b)      Organisation or re-organisation.
- (c)      Issue and revision of working formats in the interest of efficient working, improvements in methods of work, management aids to productivity.
- (d)      Work conditions:
  - (i)      Arrangements of hours, rotas, time recording, breaks.
  - (ii)     Design and layout of buildings from the point of view of working conditions, including office heating, lighting and furnishings.
  - (iii)    Provision, specification and use of equipment.
- (e)      Human resource arrangements:
  - (i)      Conditions of service, including sick pay, payments, holiday provision, pensions, flexible working framework.
  - (ii)     Training and development.
  - (iii)    Physical and psychological well-being.
- (f)      Procedures for settlement of grievances, discipline, incapability and redundancy.
- (g)      General questions of policy in relation to discipline and productivity.
- (h)      Maintenance of essential services in emergencies.
- (i)      Local salary and grading arrangements.

### **4**      **Constitution**

4.1      Staff Council shall comprise of:

- Employee representatives for the Council's services.
- The number of representatives shall reflect the current distribution of Council employees but shall not exceed thirteen.

4.2      Each member of the Staff Council, upon election, shall hold office for a maximum of four years. At the end of each representative's four-year term, representatives must seek re-election subject to the Terms of Reference and Constitution of the Staff Council. This will ensure the Staff Council retains experience, knowledge and the investment in their training. Staff Council reserve the right to call an election at any time provided there is a majority of at least 50%.

4.3      All newly appointed Staff Council representatives will go through a six month probationary period. At the end of the probationary period, Staff Council will decide if the appointed Staff Council representative's role is extended to the maximum four years.

#### 4.4 Elections:

- Each representative shall be elected by nomination by themselves or another member of staff.
- If the number of nominations is less than the number of vacancies available no ballot is required.
- If more nominations are received than vacancies are available, a direct ballot of all employees shall be administered by the Corporate Team in conjunction with the current Staff Council representatives.
- No member of staff will be able to stand for election if they have been subject to a formal disciplinary process which has been upheld. This will apply for the duration of the disciplinary action being held on the member of staff's personnel file following the disciplinary action being upheld.

4.5 The Staff Council will nominate representatives to represent services, groups, functions or individuals as required.

4.6 Staff Council shall have the right to co-opt, in a consultative capacity, consultants or advisers to, (subject to the agreement of the Managing Director) or representatives of, particular directorates, services or functions affected by a current issue under discussion, but only for the period during which the relevant question is under consideration.

4.7 Any recommendations of the Staff Council will be subject to the ratification of the Managing Director, Employment Committee or Cabinet as appropriate.

### **5 Duties**

5.1 The Staff Council representatives shall, for time spent undertaking associated duties, be paid at their ordinary rate, accumulate hours under the flexible working framework.

5.2 Appropriate time and suitable facilities shall be granted to the Staff Council to undertake and fulfil their duties within the normal working day.

5.3 Staff Council representatives will not be permitted to be nominated as the official Staff Council representative for restructures, reorganisations and consultations in which they themselves are included.

### **6 Commitment to the Staff Council Role**

6.1 It is mandatory for Staff Council representatives to attend training on employment law and grievance procedures (as a minimum) within six months of being elected to the Staff Council.

6.2 The Staff Council will encourage representatives from across service areas to join the group, making sure the maximum numbers do not exceed thirteen.

6.3 The Staff Council will agree a dedicated Chairperson, Vice Chairperson and a Communications Officer on an annual basis.

6.4 The Staff Council will aim to communicate through:

- Staff Council intranet site.
- Regular Staff Council meetings.
- Regular updates with Senior Management and Members.
- Updates in Team Talk.
- Allocated noticeboards.
- All Officer E-mail.

6.5 The Staff Council will engage in the following duties, although this list is not exhaustive:

- Consultation with managers and staff.
- Attendance at grievance and disciplinary hearings at the request of staff.
- Signposting staff to the appropriate resources within HDC and external agencies where applicable to offer support.
- Policy and procedural reviews.

6.6 All Staff Council representatives will make every effort to attend all scheduled meetings.

6.6.1 If a representative has an illness or a pre-booked holiday, they should notify the Chairperson and / or Communications Officer.

6.6.2 If the representative has any issues to be raised, they must inform the Chairperson and / or Communications Officer.

6.7 All Staff Council representatives will make every effort to respond to requests for comments (e.g. regarding policy reviews) within the required timescale. If there is no response within that period, only those comments from representatives that have responded will be used in any response to management.

6.8 Should any Staff Council representative miss either two consecutive Staff Council monthly meetings or three Staff Council monthly meetings within a 12 month period, without good reason, their continuing role as a Staff Council representative may cease. By majority vote at the next scheduled Staff Council meeting.

This course of action will preclude the employee from standing on the Staff Council for a minimum of ONE year to a maximum of FOUR years. Only if there is a collective view, by Staff Council members that there are exceptional circumstances, will this course of action not be taken.

6.9 Should any Staff Council representative be subject to a formal disciplinary, they may not be permitted to undertake Staff Council duties. If formal disciplinary action has been upheld, their continuing role as a Staff Council representative will cease.

6.10 The Staff Council, in all decisions, will aim to reach a consensus. If this is not possible the views taken forward will be of the majority vote. In the case of no majority vote, the Chairman will have the casting vote.

6.11 Any recommendations of the Staff Council will be subject to the ratification of the Managing Director, Employment Committee or Cabinet as appropriate.

## Appendix 1

### Scheduled Meetings.

<b>Meeting</b>	<b>Frequency</b>	<b>Attendees</b>
Staff Council	Monthly (1 <sup>st</sup> Tuesday of each month)	All Staff Council
Staff Council & MD Executive Meeting	Fortnightly (Wednesday mornings)	Staff Council Chairman Staff Council Vice-Chairman  One Nominated Staff Council Representative  Managing Director/Directors (rota)  A Member of SLT  HR Manager
Meeting with Councillors	Quarterly (usually the Friday before Employment Committee)	All Staff Council  Employment Committee Chairman  Employment Committee Vice-Chairman
Employment Committee	Quarterly @ 7 pm	Staff Council*

- \* Only the Chairman, Vice-Chairman and a maximum of two other Representatives will be 'seated' at the meeting. Any other Staff Council Representative attending will be seated in the 'viewing gallery'.