



# St Stephen in Brannel Parish Council

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## **Terms of Reference 2021/22 - Employment Appeals Committee**

Composition:	Three (3) Elected members (Voting)
Quorum:	Three (3) members
Chairmanship:	Chairman to be elected at appointment of committee.
Meetings:	As and when required.
Timing:	As and when required.
Venue:	To be determined at the discretion of the committee.
Reports to:	Staffing Committee.
Administration:	To be determined at the discretion of the committee
Legal Status:	Data Protection Act 2018 General Data Protection Regulations 2018 Adopted Code of Conduct Adopted Standing Orders Adopted Financial Regulations Working Time Directive 2015 National Minimum Wage Regulations 2015 Rehabilitation of Offenders Act 2014 Localism Act 2011 Equalities Act 2010 Work & Families Act 2006 Information & Consultation of Employees Regulations 2004 Local Government Act 2003 Employment Act 2002 Human Rights Act 1998 Working Time Regulations 1998 National Minimum Wage Act 1998 Employment Rights Act 1996 Nolan Principles of Life 1995 Health & Safety at Work Act 1974 Local Government Act 1972 Public Bodies (Admissions to meetings) Act 1960 Relevant case law

## **1. Objective.**

1.1 The Employment Appeals Committee is constituted to adjudicate on all appeals to decisions regarding disciplinary & grievance matters reached by the Staffing Committee or it's sub-committee.

## **2. Membership.**

2.1 Membership shall consist of 3 persons with gender balance maintained as far as is practicable.

2.2 The persons appointed will be St Stephen in Brannel Council Members appointed by the Staffing Committee, but may also include additional independent external non-voting members to be co-opted where the Employment Appeals Committee considers this appropriate.

2.3 Members of the Staffing sub-committee who considered or investigated the disciplinary or grievance matter shall not be considered for membership of the Employment Appeals Committee.

2.4 Any Member named in the disciplinary or grievance matter shall not be considered for membership of the Employment Appeals Committee.

2.5 If both the Clerk and Assistant Clerk are the subject of the disciplinary or grievance action being considered, an independent person will be appointed to record the minutes.

2.6 Members appointed must have had suitable training prior to appointment.

## **3. Standing Orders and Policy.**

3.1 The Standing Orders approved by St Stephen in Brannel Parish Council for Parish Council meetings will apply to meetings of the Employment Appeals Committee.

3.2 Three (3) members will constitute a quorum.

3.3 The Employment Appeals Committee will act in accordance with St Stephen in Brannel Parish Councils disciplinary and grievance policies along with any relevant employment policies.

## **4. Responsibilities.**

4.1 To hear representations concerning an employee's appeal against the decision of the Staffing committee or it's appointed sub-committee.

4.2 To determine whether the original decision and any sanction imposed should be upheld, reduced or overturned.

## **5. Meetings.**

5.1 Meetings will be held as required and in accordance with the time scales set down in the Parish Council's disciplinary and grievance policies.

5.2 Members of the press and public and other Council Members will be excluded from these meetings.