

HERTS FOR LEARNING MULTI ACADEMY TRUST

HUMAN RESOURCES COMMITTEE

TERMS OF REFERENCE

1 MEMBERSHIP

1.1 The Committee shall:

- a. consist of at least three members of whom a majority will be Trustees. In addition one external co-opted member may be appointed
- b. have an appropriate mix of skills and experience to allow it to discharge its duties effectively.

1.2 Members of the Human Resources Committee shall be appointed by the Board of Trustees and membership reviewed annually.

1.3 The Chair of the Human Resources Committee shall be elected annually by members of the Committee. Any co-opted member of the Committee is ineligible for appointment as Chair.

1.4 A co-opted external member may be appointed for a term agreed at the time of appointment.

1.5 The Chief Executive Officer (CEO) may be a member of the Committee but cannot take part if remuneration of the CEO is being considered. Any other staff Director shall not be a member of this Committee.

2 ACCOUNTABILITY AND PURPOSE

2.1 The Human Resources Committee is responsible to the Board of Trustees. The main purpose of the Committee is to be responsible for the detailed consideration as to the best means of fulfilling the Trust's responsibility to ensure sound management of the Trust's Human Resources (HR).

2.2 The Chair of the Committee will be responsible for giving an oral summary of the Committee's deliberations if necessary at meetings of the Board.

2.3 The Committee will deal with such HR matters as may from time to time be referred to the Committee for consideration or approval.

2.4 The Human Resources Committee has the authority to investigate any activity within its terms of reference.

2.5 The Human Resources Committee has the right of access to obtain all the information and explanations it considers necessary, from whatever source, to fulfil its remit and all officers of the Trust shall be directed to co-operate with any

request made.

- 2.6 The Committee will also review its own effectiveness and these terms of reference on an annual basis and report the outcome and make recommendations to the Trust Board.
- 2.7 A clear schedule of work will be established and agreed by the Committee and included in the Board's forward plan.

3. RESPONSIBILITIES OF THE COMMITTEE

HR and organisational development policy

- 3.1 To review and recommend HR and organisational development policies and strategy and to monitor the impact on organisational performance (for example via KPIs i.e. in relation to such matters as turnover, sickness absence, recruitment, grievances and employee satisfaction)

Pay, terms and conditions

- 3.2 To oversee the development of, and agree, a written Pay and appraisal policy for recommendation to the Board, which will attract and retain talent, achieve the Trust's long-term goals and decide what form the remuneration takes and to monitor this policy
- 3.3 To monitor and review pay awards across the Trust for recommendation to the Board annually, ensuring they remain in line with expectations in terms of the Pay and appraisal policy
- 3.4 To make recommendations to the Board on the remuneration and terms and conditions of employment of identified management posts in the light of affordability and related benchmarking data
- 3.5 To monitor additional payments awarded by academy headteachers (after agreement with the Chief Executive Officer) outside the set budget parameters
- 3.6 To recommend changes in employees' terms and conditions of employment
- 3.7 To oversee the monitoring of, an Expenses policy for Trustees

Performance management

- 3.8 To agree the process for the performance management of academy headteachers, ensuring it is conducted with sufficient rigour, within timeframes specified within the policy and to receive a summary report from the CEO annually.
- 3.9 To monitor and review academy staff and central Trust staff performance management and appraisal processes and procedures in line with the agreed policy.

- 3.10 To receive a report from the CEO on the overall performance ratings of other senior staff that work in the central team

Working conditions and equalities

- 3.11 To keep under review arrangements for staff work/life balance, working conditions and wellbeing, the development and implementation of which will be for academy headteachers and, in the case of central Trust staff, the Chief Executive
- 3.12 To ensure effective measures are in place to promote equality and diversity in employment

CPD, Staffing and succession planning

- 3.13 To oversee the development of a robust learning and development plan for staff in the central team and across each academy
- 3.14 To ensure the Board has a senior management succession plan, which minimises the risk to business continuity in the event of resignations or long-term absence

Consultation

- 3.15 To consider, determine and keep under review effective arrangements for consultation with staff as a whole and for negotiation and consultation with appropriately recognised Trade Unions and/or other representatives.

Disciplinary, grievance and whistleblowing

- 3.16 To convene disciplinary and grievance panels (see appendix)
- 3.17 To deal with whistleblowing issues

4. MEETINGS AND QUORUM

- 4.1 The Committee shall meet at least twice each year to consider matters arising from its terms of reference, or matters placed on the agenda at the request of the Board of Trustees or of the Chair or any member of the Committee.
- 4.2 In the absence of the Chair, the Committee will elect a temporary replacement from among the Trustees present at the Committee meeting.
- 4.3 The Committee may invite attendance at meetings from persons who are not Directors or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.
- 4.4 The quorum for meetings shall be 50% of members.
- 4.5 A register of attendance shall be kept for each Committee meeting and published annually.
- 4.6 All meetings shall be conducted to an agenda approved by the Chair.

- 4.7 The agenda of each meeting shall be prepared by the Company Secretary in consultation with the Chair of the Committee, and circulated together with all relevant agenda papers to all members of the Committee normally at least seven days before each meeting.
- 4.8 Trustees should ensure that any pecuniary or conflicts of interest are declared at each meeting by everyone present.
- 4.9 Where matters of a sensitive or confidential nature are to be discussed at a meeting the Company Secretary, in consultation with the Chair, shall reserve these matters to a confidential agenda. Details and papers of such agenda shall not be circulated unless the circumstances which caused them to be considered sensitive or confidential no longer pertain.

5. REPORTING PROCEDURES

- 5.1 The Company Secretary shall act as clerk to the Committee. The Company Secretary will minute the proceedings and resolutions of the Committee and ascertain, at the beginning of each meeting, the existence of any conflicts of interest and minute them accordingly.
- 5.2 The minutes of each meeting of the Human Resources Committee shall be presented to the next meeting of the Board of Trustees and circulated to Committee members within 14 days of the meeting.

6. REVIEW

- 6.1 The Committee's terms of reference shall be reviewed annually and approved by the Board

APPENDIX

Disciplinary and grievance panels

1. Responsibilities

- 1.1 Under the disciplinary or capability procedures for academy headteachers adopted by the Trust Board, to consider formal action against the academy headteacher and for a panel comprised of Trustees to make a determination as provided for under either procedure. The Committee will be responsible for the future review of any sanction short of dismissal as required under the relevant procedure.
- 1.2 Under the disciplinary or other relevant procedures (e.g. relating to capability, staff reductions or incapability due to ill health) adopted by the Board, to make any determination that any member of staff employed at an Academy should be dismissed from their post.
- 1.3 Before taking a decision on dismissal, to give the member of staff concerned an opportunity to make representations on the proposed action and to consider those representations at a formal meeting conducted in accordance with the relevant adopted procedure.
- 1.4 Where it is determined that a member of staff should be dismissed, to ensure that the member of staff is notified of the decision, the reason for it and that the member of staff has a right of appeal against the decision.

2. Membership

- 2.1 Trustees may be called at any time to form a panel of three Trustees to conduct a hearing. Panel members will be independent and impartial.
- 2.2 Any staff Trustees will be disqualified from being a member of the panel.

3 Quorum

- 3.1 The quorum for a Panel is three Trustees

4 Meetings

- 4.1 Panel hearings will take place as required
- 4.2 The Chair for any meeting will be elected by the Trustees at that meeting.
- 4.3 A Clerk will be employed to clerk Panel hearings and will take confidential notes of the meetings.

Appeals

1. Responsibilities

- 1.1 Under the disciplinary procedure or capability procedure adopted by the Board, to consider any appeal against a sanction short of dismissal issued by the Principal or by the staff discipline/dismissal Committee to a member of staff employed at the Academy.
- 1.2 Under the disciplinary or other relevant procedures (e.g. relating to capability, redundancy or incapability due to ill health) adopted by the Board, to consider any appeal against a decision of the staff discipline/dismissal Committee to dismiss from their post a member of staff employed at the Academy.
- 1.3 To consider appeals under other procedures as may from time to time be delegated by the Trust Board, including appeals under the Trust's adopted Pay Policy.
- 1.4 To make a determination on appeals in relation to pay reviews following the appraisal process.
- 1.5 To make a determination on an appeal after a decision to remove a Trustee or Governor.

2. Membership

- 2.1 Trustees may be called at any time to form a panel of three Trustees to conduct a hearing. Panel members will be independent and impartial.
- 2.2 Any member of a Hearings Panel and staff Trustees will be disqualified from being a member of the Panel.
- 2.3 Any Trustee with prior knowledge of the appeal to be heard will be disqualified from being a member of the Panel.
- 2.4 The Committee will be supported by an HR consultant to advise on procedures under 4.1 and 4.2 below.

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