

Development and Personnel Sub-Committee of the SRC

Basic Information

Contact Name and Details	Carmila Legarda, Director of Development and Personnel Email: legardac@methodistchurch.org.uk
Status of Paper	Final
Action Required	To note
Draft Resolution	
Alternative Options to Consider, if Any	

Summary of Content

Subject and Aims	Terms of Reference for the Development and Personnel Sub-Committee of the SRC
Main Points	SRC have already agreed in principle to the existence of a Development and Personnel Sub-committee which will enable the Methodist Council to fulfill its duties as an employer. SRC have approved the terms of reference for the Sub-committee. In due course they will nominate three of their number to be the members of the Sub-Committee, including one who will be its Chair and act as the link back to SRC
Background Context and Relevant Documents (with function)	It is not known how many Methodist Council contracts have been issued and who currently is authorised to issue these contracts. As an employing body, the Methodist Council needs to have oversight of all of its employees and the D&P sub-committee provides the space and authority for this to happen.
Consultations	

Summary of Impact

Standing Orders	n/a
Faith and Order	n/a
Financial	External consultations will be needed to scope out the use and variety of Methodist Council contracts and identify the breadth of tasks and action plans that the D&P Sub-committee should be undertaking as an employer = circa £20K over a period of time
Personnel	Development and Personnel within the Connexional Team will work very closely with the D&P Sub-committee and the resources for this will need to be reviewed at an appropriate time
Legal	It is highly likely that there will be legal implications to some of the findings during the scoping exercise and it may be necessary to allocate a budget that is available for this purpose
Wider Connexional	All areas of the Connexion – we need to explore who is issuing Methodist Council contracts
External (e.g. ecumenical)	It is important and helpful to find ecumenical counterparts for benchmarking purposes
Risk	As an employer there are serious legal risks from not being aware of who signs off contracts, who our employees are, who has oversight of them, whether or not they are being treated fairly, etc.

Methodist Council Employment Issues and the formation of a Development and Personnel Sub-Committee of the Strategy and Resources Committee

The Methodist Council is the employing body for all lay members of the Connexional Team and many others working elsewhere in the connexion who are not formally members of the Team. The SRC has on many occasions worked with officers and advised the Council to help it fulfil those responsibilities. In parallel with the setting up of Finance Sub-Committee of the SRC, the SRC has agreed to establish a Development & Personnel sub-committee of the SRC to better assist the Council in these matters. This committee will operate in a similar manner to the Finance Sub-committee, consisting of a group of suitably experienced volunteers working in conjunction with relevant members of the Connexional Team.

The issues that the SRC believes the Sub-Committee should help to address are set out below.

At its meeting in September 2010 the SRC approved Terms of reference for the Sub-Committee. They too are set out below. The Council is asked to note them.

Key issues

Given the variety of posts across the Connexion, it is important to clarify who exercises proper line management control and support of staff. Some of the issues which need to be considered in this context are:

1) The exercise of legal authority and line management functions

Establishing for each employee

- a) who has the legal authority to issue contracts of employment and who should sign them on behalf of the Council;
- b) who ensures the Methodist Council fulfills all its contractual obligations;
- c) that we are meeting Human Resources minimum standards or conforming to relevant employment legislation;
- d) who is responsible for day to day line management, particularly where the staff member is working alone at home or in some other remote way;
- e) that pay scales are consistently applied, procedures for pay review/job grade evaluation are in place, and reimbursement of issues such as out of pocket expenses, mileage etc. are handled in a consistent way.

2) Risks, liabilities and duty of care

Establishing

- a) what processes exist for the exercise of health and safety responsibilities [for example, are managers and staff trained in these matters, are risk assessments and safe systems of working in place, and are arrangements for review, reporting and monitoring of accidents in existence?];
- b) what are the locations in which Methodist Council staff work. [Some are home based – are these arrangements adequate and what are the Council's liabilities? For staff who are not home based, are the accommodation arrangements fit for purpose, with suitable facilities for staff which comply with HSE standards?];
- c) what are the insurance issues/coverage for such a dispersed and diverse staff group, and what are the implications/liabilities/indemnities in place for Connexional Team staff who provide advice and support;
- d) whether all staff with Council contracts be represented by the Staff Association, and if so, how that works out in practice.

Terms of Reference
Development and Personnel Sub-Committee
of the
Strategy and Resources Committee

PURPOSE STATEMENT

The purpose of the Development and Personnel Sub-Committee of the Strategy and Resources Committee (SRC) is to enable the Methodist Council to fulfil its legal duties and obligations as an employer. The Development and Personnel Sub-Committee will have responsibility for all personnel matters for those with Methodist Council employment contracts and will act as the responsible body for implementing the Church's duty of care within the terms of Standing Orders towards those ministers appointed to serve in appointments under the direction of the Council.

AUTHORITY

The Development and Personnel Sub-Committee has the authority to conduct or authorise investigations into any matters within its scope of responsibility. It is authorised to seek any information it requires and all staff are directed to co-operate with any reasonable request made by the Committee.

It is empowered to:

- engage outside counsel or consultants as the Development and Personnel Sub-Committee deems necessary in consultation with the Chair of SRC, when appropriate, to advise or to assist in the conduct of any investigation;
- seek any information it requires from any officers or staff and external parties; and
- meet with officers, auditors or internal and external legal counsel, as necessary

MEMBERSHIP

Members of the Development and Personnel Sub-Committee will be appointed by the Methodist Council. It shall consist of a Chair and 5 other members, with a minimum of two being lay and a minimum of two being ordained. At least 3 shall also be members of the full SRC.

All members of the Development and Personnel Sub-Committee, as determined by the Methodist Council, will be free of any interest and business or other relationship which would reasonably be perceived to materially interfere with the exercise of independent judgement.

MEETINGS

The Development and Personnel Sub-Committee shall meet at least four times per year, with authority to convene additional meetings as circumstances require. All Committee members are expected to attend each meeting, in person or via tele-conference. In the event of a lack of quorum arising from a member or members' absence or conflict of interest, the Development and Personnel Sub-Committee Chair shall request the Chair of the Council in consultation with the Chair of SRC to identify alternative member(s) of the SRC to stand in the stead of the absent member(s), and the SRC member so acting shall be deemed to be a member(s) of the Committee for that particular matter.

SPECIFIC DUTIES

The Development and Personnel Sub-Committee shall have the following specific duties:

A. Oversight of the personnel of each Methodist Council employing body including:

- 1) the mapping out and identification of every Methodist Council employing body currently issuing Methodist Council contracts
- 2) research into the key issues to consider for every Methodist Council employee identified by the August 2009 Methodist Council Employment Issues Paper submitted to the SRC including: the exercise of legal authority; the exercise of line management functions; and risks liabilities and duty of care
- 3) ensuring that appropriate personnel systems and practices necessary for effective direction and oversight are in place within every Methodist Council employing body
- 4) oversight of the leadership of staff in relation to personnel policies and practices for every Methodist Council employing body
- 5) monitoring stationing issues of ministers appointed to serve in institutions and other bodies that are under the authority of the Methodist Council, including practicalities of their living and working arrangements, and making recommendations to the Methodist Council (as the body responsible for recommending their stationing) as appropriate
- 6) oversight of personnel practice of all Trustee Boards of Methodist Council bodies

B. Monitoring of governance bodies in terms of their employment and stationing responsibilities

The Committee will:

- 1) continually monitor best practices, trends and issues relating to employment and stationing issues and recommend revisions of policies and procedures, as appropriate, to the SRC and Methodist Council
- 2) advise and work with the Governance Scrutiny process to ensure that connexional committees and governing bodies of institutions under the authority of the Methodist Council embody and enact best practice in terms of equality and diversity
- 3) advise on and oversee as appropriate the nomination and appointment processes for trustee chairs and other members of the governing bodies of institutions under the authority of the Methodist Council, their remits and terms and conditions of service
- 4) work with the Governance Scrutiny process to monitor and evaluate the performance (in matters of employment and deployment) of members of the governing bodies of institutions under the authority of the Methodist Council
- 5) take final decisions on individual cases concerning the remuneration, terms and conditions of service of employees with Methodist Council employment contracts
- 6) ensure that there is an orientation programme for members of the governing bodies of institutions under the authority of the Methodist Council and ensure that the relevant personnel department develops and maintains a briefing package for new leaders.

C. Oversight of Employment Practices

The Committee will:

- 1) reassure itself that proper and sound policies and procedures are implemented with respect to all Methodist Council employees and in particular with regard to safeguarding arrangements; legal obligations; employment legislation and good personnel practice
- 2) review the remuneration policies of Methodist Council bodies and their implementation in line with the Charity Commission regulations and guidelines and refer any financial implications to the SRC
- 3) approve matters referred to it by the relevant personnel department; and resolving matters where it has not been possible to secure agreement within the relevant Methodist Council employing body;

D. To convene as an Appeals Panel

To Meet as an Appeals Panel under the Methodist Council's Disciplinary or Grievance Procedures

To consider and determine appeals concerning any matter of grievance, discipline or capability, where employees have a right of appeal to a panel by virtue of their Methodist Council employment contract or where there is no relevant senior post within the relevant organisational structure of the employee that can hear such an appeal.

OTHER RESPONSIBILITIES

The Development and Personnel Sub-Committee shall:

- 1) Review when appropriate its terms of reference.
- 2) Confirm annually that all responsibilities outlined in this terms of reference have been carried out.
- 3) Regularly report to the SRC about Sub-Committee activities, issues and related recommendations.
- 4) Keep SRC informed and seek its advice with regard to issues, views, and preferences that are being considered by the Committee.
- 5) Be informed by SRC and the Methodist Council of relevant personnel matters and provide advice and guidance accordingly. This may include proposed annual pay increases or changes to terms and conditions of service.

REPORTING

The Secretary of the Development and Personnel Sub-Committee shall circulate the non-confidential minutes of the meetings of the Committee to the SRC and items for ratification by the SRC will be clearly highlighted.

Approved by SRC on: 9 September 2010

Review Date: August 2012

CL/D&PSRC/13092010