

PUPIL DISCIPLINE COMMITTEE

The main functions of this committee are to:

- consider the application of Trust pupil discipline policy;
- in certain circumstances, to conduct a hearing to decide whether action to exclude a pupil is appropriate.
- Re-consider its decision if recommended or directed to do so by the Independent Review Panel.

1. TERMS OF REFERENCE

The committee's responsibilities are set out in Schedule 1.

2. MEMBERSHIP

a) The membership of the committee shall be:

- three governors
- one/two reserve(s) appointed from the LGB, who shall serve if a member of the committee is unable to attend a meeting or there is a conflict of interest or loyalty.

Governors employed at the school shall not be appointed to the committee.

- b) Members of the committee and the named reserve(s) shall be appointed annually at the summer term meeting of the LGB.
- c) One of those appointed to the committee shall be appointed chairman/chair of the committee EITHER at the summer term meeting of the LGB or by the committee itself.
- d) Should a vacancy arise a successor shall be appointed by the LGB at its next meeting following receipt of the resignation and members so appointed shall serve until the next annual review.
- e) The LGB will appoint an approved Trust clerk. The head cannot be the clerk.

3. QUORUM

All members of the committee must be present. A named reserve shall attend in place of any member of the committee who is unable to be present at a meeting.

4. MEETINGS

- a) The committee shall meet as necessary to carry out its duty listed at 2 in the terms of reference. Meetings will be called by the clerk.

5. PROCEEDINGS

- a) The Committee shall be conducted in accordance with the Governance Handbook and with any other regulations or directions that may be issued.
- b) Confidential minutes shall be kept of each meeting of the committee and shall be circulated to all members of the committee before being signed by the chairman/chair.
- c) A confidential summary of decisions taken in individual cases shall be submitted for information to the next meeting of the LGB.
- d) The minutes shall be kept in a separate confidential minute book.

SCHEDULE 1

TERMS OF REFERENCE

1. Where the headteacher:
 - a) excludes any pupil in circumstances where the pupil would, as a result of the exclusion:-
 - i) be excluded from the school for a total of more than 5 school days but not more than 15 school days in any one term, but only if the parent requests a meeting, or
 - ii) lose the opportunity to take any public examination,
 - b) excludes a pupil permanently, or
 - c) decides that any exclusion of a pupil should be made permanent;

the LGB shall:

 - i) consider the circumstances in which the pupil was excluded;
 - ii) consider any representations about the exclusion to the LGB made by:
 - a) the relevant person *
 - b) the LA
 - iii) allow each of the following:
 - a) the relevant person *
 - b) an officer of the LA

to attend a meeting of the LGB and make oral representations about the exclusion;

 - iv) consider any oral representations so made;
 - v) consider whether, provided it is practical to do so, the pupil should be reinstated and if so give an appropriate direction to the headteacher and inform the relevant person and the LA of their decision. If not they shall inform the relevant person the headteacher and the LA of their decision and in the case of the pupil who has been permanently excluded give the relevant person notice of his right of appeal.
4. In the case of all other decisions to exclude made by the headteacher the LGB shall receive any written representations by a relevant person* about the exclusion and shall consider those representations.
5. To agree a submission on behalf of the LGB, to nominate a member of the committee to appear at and to make any arrangements for the LGB to be represented at the hearing of any appeal submitted by parents against a decision of this committee to an independent appeals panel.

* **Definition** – *relevant person* means in the case of a person under the age of 18 his or her parent and in the case of a pupil who has attained the age of 18 the pupil him/herself.

COMPLAINTS COMMITTEE (for LGB and Directors)

The main functions of this committee are:

- to consider complaints which the headteacher nor the chair of governors have been able to resolve following the procedure adopted by the Trust;
-

1. TERMS OF REFERENCE

The committee's responsibilities are set out in Schedule 1.

2. MEMBERSHIP

- a) The membership of the committee shall be:
 - three governors
 - one/two reserve(s) who shall act if a member of the committee is unable to attend a meeting.
- b) No governor employed to work at the school shall be appointed to this committee.
- c) Members of the committee shall be appointed annually at the summer term meeting of the LGB.
- d) One of those appointed to the committee shall be appointed as chairman/chair of the committee EITHER by the LGB OR by the committee.
- e) Should a vacancy arise on the committee a successor shall be appointed by the LGB at its next meeting following receipt of the resignation and members so appointed shall serve until the next annual review.
- g) The LGB will appoint an approved Trust clerk. The head cannot be the clerk.

3. QUORUM

The quorum shall be all three members of the committee. A named reserve shall take the place of any member of the committee who is unable to be present at a meeting.

4. MEETINGS

- a) The committee shall meet as and when necessary to fulfil its responsibilities.
- b) Meetings of the committee shall be called by the clerk of the committee.

5. PROCEEDINGS

- a) The committee shall be conducted in accordance with the Governance Handbook and with any other regulations or directions as may be issued from time to time.
- b) Confidential minutes shall be kept of each meeting and shall be circulated to all members of the committee before being signed by the chairman/chair. A report shall also be submitted to the next meeting of the LGB.
- c) The minutes shall be kept in a separate minute book.



SCHEDULE 1

TERMS OF REFERENCE

1. On behalf of the LGB to consider any formal complaints which the head and chair of governors have been unable to resolve under the Trust's complaints procedure.
2. In relation to a formal written complaint to acknowledge it, investigate the complaint and send a suitable response to the complainant.
3. Where the complainant requests it, to hear representations from the complainant, the head and chair of governors and to send a suitable response to the complainant.
4. To monitor annually the formal complaints received and to recommend to the LGB any changes to the school's policies, practices or procedures.

SALARIES, PERFORMANCE MANAGEMENT AND EMPLOYMENT ISSUES COMMITTEE

The main functions of this committee are to:

- consider and review the performance management and pay policies for the school;
- undertake the headteacher's performance management;
- hear appeals from teachers whose threshold assessment application is unsuccessful;
- review staff salaries;
- consider staff grievances or harassment cases.

1. TERMS OF REFERENCE

The committee's responsibilities in relation to salaries and performance management are set out in Schedule 1.

The committee's responsibilities in relation to other employment issues are set out in Schedule 2.

2. MEMBERSHIP

- a) The membership of the committee shall be:
 - three governors (one shall be a foundation governor in a CofE School).
 - one/two reserve(s) who shall act if a member of the committee is unable to attend a meeting.
- b) No governor employed to work at the school shall be appointed to this committee.
- c) Members of the committee and the named reserve(s) shall be appointed annually at the summer term meeting of the LGB.
- d) One of those appointed to the committee shall be appointed as chairman/chair of the committee EITHER by the LGB OR by the committee.
- e) Should a vacancy arise on the committee a successor shall be appointed by the LGB at its next meeting following receipt of the resignation and members so appointed shall serve until the next annual review.
- f) The LGB will appoint an approved Trust clerk. The head cannot be the clerk.
- g) The head shall be entitled to attend meetings of the committee when the salaries of other staff are being reviewed.

3. QUORUM

The quorum shall be all three members of the committee. A named reserve shall take the place of any member of the committee who is unable to attend a meeting.

4. MEETINGS

- a) The committee shall meet as and when necessary to fulfil its responsibilities.
- b) Meetings shall be called by the clerk of the committee or and, wherever possible, seven days' notice should be given to members with an explanation of the purpose of the meeting.

5. PROCEEDINGS

- a) The committee shall be conducted in accordance with Governance Handbook and with any other regulations or directions as may be issued from time to time.

- b) Minutes shall be kept of each meeting and shall be circulated to all members of the committee before being signed by the chairman/chair. A report shall also be submitted to the next meeting of the LGB.
- c) The minutes shall be kept in a separate minute book.

SCHEDULE 1

TERMS OF REFERENCE

1. To operate in accordance with statutory performance management framework and the Trust's adopted policy as follows:
 - to take advice from the Trust's external adviser when agreeing objectives and reviewing the head's performance.
 - to agree performance objectives with the head.
 - to conduct the head's performance review.
 - to determine whether the outcome of the head's performance review meets the criteria for pay progression as covered under the adopted pay policy. To recommend any progression to the Trust for approval.
 - to support the head with the annual report to the LGB on performance management arrangements and outcomes.
 - To hear any appeal by a teacher against entries made within their performance review statement.
3. To hear any appeal by a teacher employed at the school against the outcome of their threshold assessment application.
4. To determine annually, as required by the School Teachers Pay and Conditions regulations and within the scope of the adopted performance management and pay policies and the salaries budget adopted by the Trust, the salaries of the teaching staff employed at the school.
5. To determine annually, in accordance with the adopted pay policy, any appropriate regulations and agreements and any other advice issued by the Trust and within the salaries budget adopted by the Trust, the salaries and gradings of support staff.
6. To deal with any other matters relating to salaries and performance management that may be referred by the Trust.

SCHEDULE 2

TERMS OF REFERENCE

1. To consider staff grievances where there is a referral to the committee under the grievance procedure adopted by the Trust. The committee will consider the grievance and seek to resolve the matter following a process and hearing conducted in accordance with the adopted procedure
2. To consider staff complaints of harassment where there is a referral to the committee under the procedure adopted by the Trust. The committee will consider the complaint and seek to resolve the matter following a process and hearing conducted in accordance with the adopted policy.

APPEALS COMMITTEE Inc STAFF DISCIPLINE/DISMISSAL APPEAL COMMITTEE

(To be used at Director Level)

The main function of this committee is to decide whether to uphold or overturn a decision (not relating to staff dismissal or staff discipline) taken by a committee of the LGB which has been referred to this committee for consideration.

1. TERMS OF REFERENCE

The committee's responsibilities are set out in Schedule 1.

2. MEMBERSHIP

- a) The membership of the committee shall be:
- three Trust Directors (who have not had involvement on a previous committee).
 - one/two reserve(s), who shall act if a member of the committee is unable to attend a meeting.
- b) No governor employed to work at the school shall be appointed to this committee.
- c)
- d) One of those appointed to the committee shall be appointed as chairman/chair of the committee
- e)
- f) The TRUST will appoint an approved Trust clerk. The Executive Head cannot be the clerk.

3. QUORUM

The quorum shall be all three members of the committee. A named reserve shall take the place of any member of the committee who is unable to be present at a meeting.

4. MEETINGS

- a) The committee shall meet as and when necessary to fulfil its responsibilities.
- b) Meetings of the committee shall be called by the clerk of the committee.

5. PROCEEDINGS

- a) The committee shall be conducted in accordance with the Governance Handbook and with any other regulations or directions as may be issued from time to time.
- b) Confidential minutes shall be kept of each meeting and shall be circulated to all members of the committee before being signed by the chairman/chair. A confidential summary of decision taken shall be submitted for information to the next meeting of the TRUST.
- c) The minutes shall be kept in a separate confidential minute book.
- d) The Executive Headteacher (except where he/she is the person concerned) and the Chair of Directors shall be entitled to attend, for the purpose of giving advice, all proceedings of the committee.

SCHEDULE 1: TERMS OF REFERENCE

1. To hear any appeal arising from the decision of any committee or individual governor or the head in whom any executive power has been vested which it is not the responsibility of any other committee to hear. Any appeal will be conducted in accordance with the relevant procedure adopted by the TRUST.



2. Under the disciplinary procedure or capability procedure adopted by the Trust to consider any appeal against a sanction short of dismissal issued by the head or by the staff discipline/dismissal committee to a member of staff employed at the school by the Trust and for whom the Trust has an employment responsibility.
3. . Under the disciplinary or other relevant procedures (ie relating to capability, redundancy or incapability due to ill health) adopted by the Trust, 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 school by the Trust and for whom the Trust has an employment responsibility.
4. Before taking a decision on any appeal, to give the person concerned an opportunity to make representations or present their grounds for appeal at a formal meeting conducted in accordance with the relevant adopted procedure. (Under the adopted disciplinary procedures the committee is empowered to issue a disciplinary sanction short of dismissal where it is determined that the member of staff concerned should not be dismissed).
5. To ensure that the member of staff concerned and the Trust is notified of its decision on the appeal.

STAFF DISCIPLINE/DISMISSAL COMMITTEE (For use at LGB and Director Level in Headteacher circumstances)

The main functions of this committee are to implement Trust decisions whether:

- a member of staff (including the headteacher) should be dismissed under disciplinary procedures/made redundant/dismissed due to ill health;
- not renew a member of staff's contract.

1. TERMS OF REFERENCE

The committee's responsibilities are set out in Schedule 1.

2. MEMBERSHIP

a) The membership of the committee shall be:

- three governors
- one/two reserve(s): appointed from the LGB who shall serve if a member of the committee is unable to attend a meeting

Governors employed at the school shall not be appointed to the committee.

- b) Members of the committee and the named reserve(s) shall be appointed annually at the summer term meeting of the LGB.
- c) One of those appointed to the committee shall also be appointed as chairman/chair of the committee either by the LGB or by the committee itself.
- d) Should a vacancy arise a successor shall be appointed by the LGB at its next meeting following receipt of the resignation and members so appointed shall serve until the next annual review.
- e) The LGB will appoint an approved Trust clerk. The head cannot be the clerk.
- f) The chairman/chair of governors, if a member of the committee, shall stand down and take no part in the committee's proceedings if action against the head is being considered, and shall be replaced by a named reserve.

3. QUORUM

All members of the committee must be present. A named reserve shall attend in place of any member of the committee who is unable to be present at a meeting.

4. MEETINGS

- a) The committee shall meet as and when necessary.
- b) A meeting shall be called by the clerk of the committee.

5. PROCEEDINGS

- a) The committee shall be conducted in accordance with the Governance Handbook and with any other regulations or directions as may be issued from time to time.
- b) Confidential minutes shall be kept of each meeting of the committee and shall be circulated to all members of the committee before being agreed by the chairman/chair.



- c) A confidential summary of decisions taken shall be submitted for information to the next meeting of the LGB and the Trust.
- d) The minutes shall be kept in a separate minute book.
- e) The headteacher (except where he/she is the person concerned) and the Corporate Director shall be entitled to attend, for the purpose of giving advice, all proceedings of the committee.

SCHEDULE 1

TERMS OF REFERENCE

1. Under the disciplinary procedure for headteachers or capability procedure for headteachers adopted by the Trust, to consider formal action against the head of the school and to make a determination as provided for under either procedure. Any decision will follow a formal meeting conducted in accordance with the adopted procedure and will be subject to the head having a right of appeal. The committee will be responsible for the future review of any sanction short of dismissal as required under the relevant procedure.
2. Under the disciplinary or other relevant procedures (ie relating to capability, redundancy or incapability due to ill-health) adopted by the Trust, to make any initial determination that any member of staff employed at the school, for whom the LGB/MAT has an employment responsibility, should be dismissed from their post.
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. (Under the adopted disciplinary procedures the committee is empowered to issue a disciplinary sanction short of dismissal where it is determined that the member of staff concerned should not be dismissed).
4. Where it is determined that a member of staff should be dismissed, to ensure that the member of staff and the MAT are notified of the decision, the reason for it and that the member of staff has a right of appeal against the decision.