

Yatton Federated Schools Staff Disciplinary/Dismissal Panel (Panel A)

Terms of Reference 2016

Purpose

To consider disciplinary and other matters and dismissals where these functions have not been delegated to the Headteacher under the Staffing Regulations 2009 as amended (maintained schools), or in the case of discipline, where the Headteacher has had detailed prior involvement or where the case involves the Headteacher.

Membership

The Panel shall consist of three eligible governors, selected from the pool of governors by the Clerk after consultation with the Chair of Governors, or, if the Chair of Governors has a direct interest in the matter to be determined, the Vice Chair of Governors. Every governor (other than the Headteacher and staff governor(s)) is eligible for membership. Associate Members are also eligible for membership of this committee (maintained schools only).

No governor may therefore sit on the panel if they have had a prior involvement in the matter to be determined or in the circumstances surrounding it. Any personal relationship with individuals involved would also be a bar to a governor sitting on a panel/committee. Governors must declare any personal or pecuniary interests.

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The Panel may have an advisor at all meetings. The advisor is not eligible to vote.

Quorum

The quorum shall be three.

Meetings

The Staff Disciplinary/Dismissal Panel shall meet on an as required basis.

Chair

The Chair of the panel/committee will be appointed by the governing body or the panel (providing the governing body delegates the responsibility).

Clerking

All meetings must be clerked. The clerk to the committee must be a person who is not a governor of the school(s), an Associate Member or the Headteacher.

Decisions

Any decisions shall be made by a simple majority.

Procedures

All hearings shall be in private and minuted. The employee(s) shall be given at least seven working days' notice in writing of the hearing. The employee(s) shall be entitled to attend the hearing, to be accompanied by a work colleague or representative if he/she wishes, to call witnesses in his/her defence where appropriate and to question any witness bringing evidence against him/her. All relevant papers must be circulated, by all parties, to all parties, in advance of the hearing. The Committee shall consider its decision in private.

except for the presence of the clerk and the committee's advisor. Private deliberations shall not be minuted. Where possible the decision of the committee shall be communicated verbally at the end of the hearing. In any case the decision shall be confirmed in writing to the employee within 5 working days of the hearing. The employee shall have the right of appeal against any decision of the Disciplinary/Dismissal Panel.

Delegated Functions

- To consider staffing proposals and agree any proposed changes to the staffing proposals (within the remit delegated by the Full Governing Body (FGB))
- To determine implementation arrangements for staffing changes including selection criteria and process for redundancy
- To consult with recognised Trade Unions and staff in relation to the staffing review and to consider feedback from such consultation
- To consider expressions of interest and applications for voluntary measures
- To select and appoint to posts on the new structure and to consider and respond to representations from staff as part of this process
- To select individuals for redundancy and to write to them to notify them of their selection and right of appeal against dismissal

These Terms of Reference were accepted and approved by the Board of Governors