

POWERS OF STATUTORY COMMITTEES

Staff discipline and dismissal

Membership:

Minimum of three governors excluding the headteacher (who presents the case or who may be the member of staff subject to the procedure); nobody who is "tainted".

A clerk who is not a governor (nor the headteacher) must be appointed.

LEA and Diocesan Advisers will be present in disciplinary cases that could lead to dismissal.

Terms of Reference:

According to the Model Disciplinary Procedure issued to all staff with the National Society Contract and employment legislation. Disciplinary action may be contemplated on grounds of misconduct, gross misconduct, lack of competence or breach of contract or conditions of service.

Delegated Powers:

1. Hear the case, see all relevant documents, allow the teacher concerned to comment on or refute the complaints either himself/herself or through his/her accompanying friend.
2. If necessary, take disciplinary action in the form of issuing one of the following:
 - * a formal oral warning (which should be confirmed in writing)
 - * a first written warning
 - * a final written warning
 - * dismissal.Except in cases of gross misconduct, a notice of dismissal should have been preceded by a warning, indicating the consequences if stated conditions are not met.
3. Where appropriate, to withhold an annual salary increment on the grounds that a teacher's service is unsatisfactory and he/she has been notified to that effect.

Staff dismissal appeal committee

Membership:

Minimum of the same number as on the Dismissal committee; nobody who is tainted (which, if the case started as a grievance, includes members of the Grievance committee); nobody who is "tainted".

A clerk who is not a governor (nor the headteacher) must be appointed.

LEA and Diocesan Advisers will be present.

Terms of Reference:

According to the Model Disciplinary Procedure issued to all staff with the National Society Contract and employment legislation.

Delegated Powers:

1. Hear the appeal, see all relevant documents, allow the teacher concerned to comment on or refute the complaints either himself/herself or through his/her accompanying friend.
2. Confirm or amend the decision of the disciplinary hearing.

Grievance

Membership:

Minimum of three; not the headteacher (who may be the member of Staff with the grievance); no member of Staffing/Pay Policy committee; nobody who is "tainted".

LEA and Diocesan Advisers may be present.

Terms of Reference:

According to the Model Grievance Procedure issued to all staff with the National Society Contract. When a grievance arises, the priority should be to try to resolve the matter informally; only when this is unsuccessful is a formal grievance procedure implemented.

Delegated Powers:

1. Hear both sides of the case, see all relevant documents, allow parties concerned to make submissions, each of them being accompanied, if they so wish, by a friend.
2. Allocate responsibility or blame, or make recommendations to resolve the matter.

Curriculum Complaints

Membership:

Minimum of three, not including the headteacher.

Terms of Reference:

To consider formal complaints to the governing body by any parent who considers that the National Curriculum, Religious Education or Collective Worship are not being provided according to the requirements of the Education Reform Act, 1988, or the Trust Deed. When a complaint of this nature is made, the headteacher should first attempt to resolve the matter informally with the parent/s concerned.

Delegated Powers:

1. Hear the complaint, carry out investigations and decide whether or not the complaint is to be upheld.
2. If the complaint is upheld, to direct how the matter may be rectified.
3. Where appropriate to recommend initiation of competence or disciplinary procedures.

Pupil Discipline Committee

Membership:

Minimum of three governors, excluding the headteacher (who presents the case); nobody who is "tainted".

A clerk who is not a governor (nor the headteacher) must be appointed.

Terms of Reference:

To review the use of exclusion within the school, including considering the views of the parent of an excluded pupil.

To deal with cases of fixed period (of over 5 days) or permanent exclusion of pupils from the school, according to the Secretary of State's guidance on exclusions in Circular 10/99 - *Social inclusion: pupil support*) and the written procedures of the LEA.

In all cases, parents have the right of making representations and may, if they wish, be accompanied by a friend.

Delegated Powers:

1. Hear the case, see all relevant documents, allow the parents /pupil concerned to comment on or dispute the allegations.
2. Consider and decide whether to confirm the exclusion, alter its length or terms, or direct reinstatement.
3. Inform parents, headteacher and LEA of decision without delay.

Pupil admissions committee

Membership:

The headteacher and at least two more governors. [It is helpful if one or two members are available during the day time in order to present the school's case at any Admission Appeal Hearing.]

A clerk who is not a governor (nor the headteacher) must be appointed.

Terms of reference:

All matters to do with admissions, subject to the requirement that the full governing body must approve the policy. Decisions as to whether any child may be admitted may not be delegated to the headteacher or any other individual [unless there is a vacancy in the year group].

Delegated Powers:

1. Draft the admissions policy, including criteria, which must be reviewed and approved annually by the full governing body.
2. If the school is over-subscribed, apply the admissions criteria to all applicants and decide which children are to be admitted and which refused a place.
3. Ensure that all procedures regarding notification of parents of offer or refusal of a place and the right to appeal are carried out.
4. Prepare the case of the governing body to go to the Appeal Panel.

***Note:** A member of the governing body or staff at the school is considered to be "tainted" if he/she has previously been involved in any discussion or interview concerning the matter in question.