# Staff Disciplinary Committee Terms of Reference

**Purpose**
To consider disciplinary matters and dismissals where these functions have not been delegated to the Headteacher under the Staffing Regulations 2009, or in the case of discipline, where the Headteacher has had detailed prior involvement.

**Membership**
The Committee shall consist of three eligible Governors. Every Governor [other than the Headteacher and Staff Governors] is eligible for membership. Associate Members are not eligible for membership of this committee.

Anyone involved in the investigatory stage may not be involved in making decisions at any subsequent disciplinary hearing.

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

**Quorum**
Three.

**Meetings**
The Staff Disciplinary Committee shall meet on an as required basis.

**Chair**
The Committee shall agree a chair for each meeting.

**Clerking**
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**
1. All hearings shall be in private and minuted.

2. The employee(s) shall be given at least ten working days' notice in writing of the hearing.

3. The employee(s) shall be entitled to attend the hearing, to be accompanied by a friend 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.

4. All relevant papers must be circulated, by all parties, to all parties, at least three working days in advance of the hearing.

5. 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.

6. 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.

7. The employee shall have the right of appeal against any decision of the Staff Disciplinary Committee.

**Accountability**

The Staff Disciplinary Committee is accountable to the Full Governing Body.

*Approved by the Full Governing Body on 13th October 2023*
*Approved by the Staff & Student Matters Committee: 23rd November 2022*

# Staff Disciplinary Appeals Committee Terms of Reference

**Purpose**
To consider any appeals against decisions by the Headteacher or Staff Disciplinary Committee.

**Membership**
The Appeals Committee comprises three eligible Governors. Every Governor [other than the Headteacher and Staff Governors] is eligible for membership. Associate Members are not eligible for membership of this Committee.

Anyone with prior involvement in the matter may not be involved in making decisions at any appeal hearing.

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

**Quorum**
Three.

**Meetings**
The Staff Disciplinary Appeals Committee shall meet on an as required basis.

**Chair**
The Appeals Committee shall agree a chair for each meeting.

**Clerking**
The clerk to the Appeals 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.

**Procedure**

1. The employee(s) may appeal in writing to the Chair of Governors within five working days of receiving the original written decision.

2. All appeal hearings shall be in private and minuted.

3. The employee(s) shall be given at least five working days' notice in writing of the appeal hearing.

4. The employee(s) shall be entitled to attend the appeal hearing, to be accompanied by a friend 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.

5. All relevant papers must be circulated, by all parties, to all parties, at least 3 working days in advance of the appeal hearing.

6. The Appeals Committee shall consider its decision in private except for the presence of the Clerk and the Appeals Committee's advisor. Private deliberations shall not be minuted.

7. The Appeals Committee may:
   - accept the appeal and remove the penalty imposed;
   - accept the appeal and impose a lesser penalty;
   - reject the appeal and confirm the penalty imposed or, exceptionally, increase the penalty.

8. Where possible the decision of the Appeals Committee shall be communicated verbally at the end of the appeal hearing. In any case the decision shall be confirmed in writing to the employee within 5 working days of the hearing.

9. The Appeal Committee's decision will be final. This will not affect the employee's legal rights.

**Accountability**
The Staff Disciplinary Committee is accountable to the Full Governing Body.

*Approved by the Full Governing Body on 13th October 2023*
*Approved by the Staff & Student Matters Committee: 23rd November 2022*