



Aspiring Foundations Federated Nursery Schools

Terms of reference for the Staff Discipline and Dismissal Committee

Membership/Quorum

- Normally 3 named members of the governing body (to be drawn from the whole governing body and asked in turn). The committee cannot include the Headteacher.
- The nominated governors will need to be able to confirm that they are not tainted in respect of the case under determination.
- Regulations prevent a school employee from being a member of a committee dealing with the pay or performance of another member of staff. Where an appeal is not connected to these things, a school employee could be a member. However, in setting up arrangements for convening committees governors will want to consider whether a member of staff would be seen as sufficiently impartial to act. If staff members are included in the "pool" they will need to be particularly careful, when approached by the clerk to serve on an appeal committee, to declare any conflict of interest and withdraw from the process if necessary. In exceptional circumstances, a meeting of the committee can proceed with only 2 named governors in attendance

Delegated Power

- To hear representations from an employee and determine whether or not that employee should cease to work at the school or a lesser sanction should be imposed. The Committee will operate in accordance with the School Staffing (England) Regulations 2009, which apply to all maintained schools.

Purpose

- To hear representations concerning the potential dismissal of an employee or the imposition of a lesser sanction and determine an appropriate outcome within their delegated powers.
- The committee may be meeting to consider sanctions or dismissal in relation to capability (health or performance), misconduct, redundancy, statutory prohibition or for some other substantial reason.

Meetings

- As required, when it is appropriate for the governors to consider that a member of staff should cease to work at the school or for a lesser sanction to be imposed

Clerk/ minutes

- The governing body or chair of the committee should appoint a clerk to take notes of the proceedings. The clerk cannot be a member of the Aspiring Foundations Federated nursery Board of Governors or the Executive Headteacher or a member of the committee.
- The clerk to the committee shall keep notes of the proceedings of the hearing. Once the notes have been agreed they will be signed by the chair of the committee at the earliest possible opportunity and retained on file in the usual way. These notes are confidential and excluded from the usual rules concerning publication of governing body proceedings as they relate to a named member of the school's staff.