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**Committees and Panels of the Governing Body 2018-9**

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*i.e. Panels convened as necessary in the event of: Staff Grievance, Staff Disciplinary,*

*Pupil Discipline/ Exclusions, Parental complaints, Appeals, Headteacher Recruitmen*t.

**Procedure for Committees and Panels**

* **A committee** consists of a group of governors who meet at intervals throughout the academic year to discuss matters delegated to them by the governing body and which are outlined in their Terms of reference. **A panel** comprises a specified number of governors who are convened as necessary by the clerk to carry out a specific task, usually to review decisions that have already been made, at a time and date determined by the clerk. A **working group** may be set up by the governing body to research a particular area within a given timeframe and feed back this information in an advisory capacity to the governing body.
* The full governing body agrees the constitution, membership and terms of reference of all committees and panels which are reviewed annually.
* Committees operate on behalf of the governing body, to undertake the detailed work of scrutinising strategy, policy and financial performance and report back to the governing body on these issues for approval. All committee decisions and recommendations are on behalf of the whole governing body, who share collective responsibility.
* The terms of reference, duties and responsibilities of panels are as given in the policy to which the panel relates.
* The chair of the governing body invites all governors to sit on committees and the allocation to specific committees is linked to individual skills and interests.
* The quorum of committee meetings is a minimum of three governors who are members of the committee.
* The quorum of panels is the same as the number specified for membership. i.e. all governors on a panel as  convened by the clerk must be present. In the event of a governor becoming unavailable the panel will be re-  convened at a different time or with another eligible governor.
* Each committee or panel must have a chair and a clerk.
* The chair will be appointed by the governing body. The head teacher cannot be the clerk to a  committee, but a governor can.
* The governing body may remove the chair of a committee from office at any time.
* In the absence of the chair, the committee shall choose an acting chair for that meeting from among their  number. In the absence of the clerk the committee shall choose a clerk for that meeting from among their number.
* Any decision taken must be determined by a majority of votes of committee members present and voting. No vote can be taken unless a majority of those present are governors.
* Where there is an equal division of votes the chair of the meeting will have a second or casting vote, provided that such person is a governor
* Minutes of the proceedings must be drawn up by the clerk to the committee and circulated within 2 weeks, and then at the next committee meeting, they will be confirmed as an accurate and true record, and they must be signed (subject to the approval of the committee) by the chair at that meeting.
* This record (i.e. the unapproved draft minutes) will be received by all governors before the first governing body meeting following the committee meeting, together with any approved minutes not yet received by the governing body. The chair of each committee will give a verbal report of draft minutes listing the action taken, and any decisions to be considered by full governing board.
* Committee meetings can only be attended by non-governors by invitation.
* Minutes can be made available on request, but confidential minutes will not be made available for inspection by the public.
* All committees must consider safeguarding and equalities implications when undertaking their roles.

**Committees, panels and working groups**

Bexton has a Curriculum and Resources Committee which meet once per term, as well as a Performance Related Pay and Headteacher Performance Management Panel which meets once per year.

Bexton also has working groups which are time bound and research further into a particular area (aka task and finish/ project with clear remit, time bound etc.) and provide information to the governing body, as follows: Academy working group, Three Year Plan Working group.

Statutory panels will be convened as and when necessary to include pupil discipline (exclusions), staff discipline, complaints, hearings and appeals. Odd numbers of governors work best, and membership is usually three.

**Membership of committees and working groups 2018-9.**

**Curriculum Committee:** Lucy Goldsmith (chair), Kathryn Woolf (vice chair), Catherine Hulme, Sue Sharratt, Jon Webb, Peter Kingdom, Peter Woodhouse, Emily Armstrong, Jill Sach.

**Resources Committee:** Jim Lovett (chair), Mike Braun (vice chair), Peter Woodhouse, Helen Taylor, Emily Armstrong, Matt Stephenson, Lynne Lea, John Squires, Sandra Bland.

**Headteacher performance management and pay review:** Peter Woodhouse, Kathryn Woolf, Catherine Hulme

**Three year plan working group:** Emily Armstrong, Sue Sharratt, Matt Stephenson, Peter Woodhouse, Catherine Hulme and Jill Sach.

**Academy working group:** Lynne Lea, Emily Armstrong, Vicki Allen, Catherine Hulme, John Squires, Jill Sach, Matt Stephenson, Lucy Goldsmith.

**Membership of panels**

**Please see below the pools from which governors will be drawn in the event that one of the following panels is convened:** Staff Grievance, Staff Disciplinary, Pay appeals, Pupil Exclusions, Parental complaints, Headteacher recruitment.

*n.b. If it is not possible to find trained governors with no prior knowledge of the issues at hand, within a given timeframe, then in first instance contact LA, or consider collaborating with another school and forming a joint appeals committee with governors from a local maintained school. Maintained schools can formalise this under the School Governance (Collaboration) (England) Regulations 2003.*

**Headteacher recruitment**

Catherine Hulme

Kathryn Woolf

Peter Woodhouse

John Squires

**Pupil Discipline/exclusions (3 from the 6 below) n.b. Exclusions training is compulsory**

Catherine Hulme

Peter Kingdom

Sue Sharratt

Kathryn Woolf

Jim Lovett

Lucy Goldsmith

**Complaints**

Peter Woodhouse

Jon Webb

Kathryn Woolf

**Complaints panel – Appeals**

John Squires

Matt Stephenson

Lynne Lea

**Staffing Disciplinary/ Dismissal**

John Squires

Lucy Goldsmith

Peter Kingdom

**Staffing Dismissal appeal (3 of the following)**

Lynne Lea

Jim Lovett

Catherine Hulme

**Staff Pay Appeal or Staff grievance**

Jim Lovett

Catherine Hulme

Mike Braun

Matt Stephenson

Lynne Lea

**RESOURCES COMMITTEE**

**TERMS OF REFERENCE**

**1. Purpose**

The purpose of the Resources Committee of Bexton Primary School is to consider all matters appertaining to finance, staffing and premises as delegated by the full Governing Body.

**2. Processes and procedures**

The committee will have a membership of at least six governors - this will include the Chair of Governors and the Headteacher.

The School Business Manager will also attend the committee by invitation.

The committee will elect a Chair from amongst its number on an annual basis.

Quorum for the committee will be three governor members of the committee.

The committee shall meet once per term or more often if required.

The Committee meetings will not be open to the public but minutes shall be made available. Information relating to a named person or any other matter that the committee considers confidential will be minuted in ‘part 2’ and does not have to be made available for inspection.

In the absence of the chair, the vice chair will chair the meeting. In the event that they are unavailable, the committee shall choose an acting chair for that meeting from among their number.

In the absence of the clerk the committee shall choose a clerk for that meeting from among their number (someone who is not the Headteacher).

The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full governing body and will be presented at that meeting by the chair (or in his/her absence another member of the committee).

Any decisions taken must be determined by a majority of votes of committee members present and voting – but no vote can be taken unless a majority of those present are governors.  F

Associate members of committees do not have voting rights.

**3. Functions**

To act on matters delegated by the full governing body (see further details below).

To liaise and consult with other committees where necessary and to provide them with the information they need to perform their duties.

To contribute to the School Development Plan, where appropriate.

To consider safeguarding and equalities implications when undertaking all committee functions.

To review, complete and submit the School Financial Value Standard (SFVS).

To undertake any remedial action identified as part of the SFVS.

To receive and act upon any issues identified by a local authority audit.

**3.1 Functions: Finance**

In consultation with the Headteacher, to draft the first formal budget plan of the financial year

To draft and propose to the governing body for adoption an annual school budget taking into account the priorities of the School Development Plan.

To establish and maintain an ‘up to date’ three year financial plan, taking into the account priorities of the School Development Plan, roll projection and signals from central government and (if applicable) the LA regarding future years’ budgets, within the constraints of available information. ·

To ensure that the school operates within the Financial Regulations of Cheshire East Council

To consider a budget position statement including virement decisions at least termly and to report significant anomalies from the anticipated position to the Governing Body

To monitor the income and expenditure throughout the year of all delegated and devolved funds against the annual budget plan.

To monitor expenditure of all voluntary funds kept on behalf of the Governing Body

To receive at least termly budget monitoring reports from the Headteacher.

To report back to each meeting of the full governing body and to alert them of potential problems at an early date.

To review, adopt and monitor policies relating to finance, which include the local scheme of delegation for spending and budgetary adjustments (virements) for the committee, Headteacher and other nominated staff, as well as charging and remissions policy.

To make decisions in respect of service level agreements.

To ensure that sufficient funds are set aside for pay increments as set out in the Pay Policy and as  recommended by the Headteacher.

Subject to the local scheme of delegation, to approve any budgetary adjustments that will from time to time be necessary in response to the evolving requirements of the school.

**3.2 Functions: Premises**

To advise the Governing Body on priorities, including Health and Safety, for the maintenance and development of the school's premises

To ensure, as far as is practical, that Health and Safety issues are appropriately prioritised

To oversee arrangements, including Health and Safety, for the use of school premises by outside users, subject to governing body policy

To review, adopt and monitor a Health and Safety policy.

In consultation with the Head Teacher and the Resources Committee, to oversee premises-related funding bids.

To establish and keep under review an Accessibility Plan and a Building Development Plan.

To ensure that the governing body's responsibilities regarding litter, refuse and dog excrement are  discharged according to Section 89 of the Environmental Protection Act 1990, so far as is practicable.

To provide support and guidance for the governing body and the headteacher on all matters relating to the maintenance and development of the premises and grounds, including Health and Safety.

To ensure that an annual inspection of the premises and grounds takes place and a report is received  identifying any issues.

To inform the governing body of the report and set out a proposed order of priorities for maintenance  and development, for the approval of the governing body.

To arrange professional surveys and emergency work as necessary.

*The Headteacher is authorised to commit expenditure up to £10,000 without the prior approval of the committee in any emergency where delay would result in further damage or present a risk to the health and safety of pupils or staff. In this event the Headteacher would normally be expected to consult the committee chair at the earliest opportunity.*

To create a project committee where necessary to oversee any major developments.

**3.3 Functions: Staffing**

To ensure that the school is staffed sufficiently for the fulfilment of the school‘s development plan and the effective operation of the school. To annually review, in consultation with the Head Teacher, the school staffing structure.

The Pay Committee establishes the operation of the school's Performance Management/ Appraisal Policy - including the arrangements and operation of the school's performance management/ appraisal procedures for the Headteacher.  The Resources Committee oversees this work.

To establish a Pay Policy for all categories of staff.

To be responsible for the administration and review of the Pay Policy.

To ensure that staffing procedures (including recruitment procedures) follow equalities legislation.

To annually review procedures for dealing with staff discipline and grievances and make  recommendations to the governing body for approval.

To monitor approved procedures for staff discipline and grievance and ensure that staff are kept  informed of these.

To recommend to the governing body staff selection procedures, ensuring that they conform with  safer recruitment practice, and to review these procedures as necessary.

In consultation with staff, to oversee any process leading to staff reductions.

To establish the annual and longer-term salary budgets and other costs relating to personnel, e.g.  training.

To oversee the appointment procedure for all staff.

To establish and review a Performance Related Pay Policy for all staff.

To keep under review staff work/life balance, working conditions and well-being, including the monitoring of absence.

A specific appeals committee would be set up to consider any appeal against a decision on pay grading or pay awards.

**3.4 Functions: Policies delegated for approval by Resources Committee**

* Acceptable use of IT
* Allegations of abuse against staff- statement of procedures
* Best Value Statement
* Business Continuity Management Plan
* Critical Incidents policy
* Governors allowances
* Health and Safety (inc. risk assessments)
* Manual of Internal Financial Procedures (MIFP)
* PCIDSS
* Premises managements Documents
* Recruitment and selection
* Scheme of Financial Delegation
* SFVS
* Statement of Internal Control
* Whistleblowing

**The Resources Committee will also review and recommend for approval by FGB the following:**

* Staff absence and management
* Staff discipline, conduct and grievance procedure
* Dignity at work
* Equality at work

**CURRICULUM COMMITTEE**

**TERMS OF REFERENCE**

**Purpose of committee**

The purpose of the Curriculum Committee of Bexton Primary School is to consider all matters appertaining to curriculum, data, assessment, pupil progress, attainment and achievement as delegated by the full Governing Body.

**Processes and procedures**

The committee will have a membership of at least six governors including the Chair of Governors and the Headteacher.

The committee will elect a Chair from amongst its number on an annual basis.

The chair and membership will be reviewed at the Autumn Committee meeting and confirmed at Full Governing Board in Autumn Term.

Quorum for this committee will be three governor members of the committee.

This committee will meet at least once per term.

Committee meetings will not be open to the public but minutes shall be made available. Information relating to a named person or any other matter that the committee considers confidential will be minuted in ‘Part 2’ and does not have to be made available for inspection.

In the absence of the chair, the vice chair will chair the meeting. In the event they are not available, the committee shall choose an acting chair for that meeting from among their number.

In the absence of the clerk the committee shall choose a clerk for that meeting from among their number (someone who is not the Headteacher).

The draft minutes of each meeting will be circulated with the agenda for the next ordinary meeting of the full governing body and will be presented at that meeting by the chair (or in his/her absence another member of the committee).

Any decisions taken must be determined by a majority of votes of committee members present and voting – but no vote can be taken unless a majority of those present are governors.

Associate members of committees do not have voting rights.

* **Functions**
* To act on matters delegated by the full governing body.
* To liaise and consult with other committees where necessary.
* To contribute to the School Development Plan.

To consider safeguarding and equalities implications when undertaking all committee functions.

* To review, monitor and evaluate the curriculum offer.

To monitor progress and attainment of all pupils.

* To recommend for approval to the full governing body the:
	+ -  Self-evaluation form
	+ -  School Development Plan (SDP) and SDP targets
	+ -  Targets for school improvement to the governing body  including external verification targets

To develop and review policies identified within the school’s policy review programme and in accordance with its delegated powers (e.g. sex education and pupil behaviour/discipline).

To ensure that the requirements of children with special needs are met, as laid out in the Code of Practice, and receive termly reports from the Headteacher/SENCO and an annual report from the SEN link governor .

To monitor the impact of the pupil premium funding. improvement

To monitor and evaluate the effectiveness of leadership and management.

To monitor and evaluate the impact of quality of teaching on rates of pupil progress and standards of  achievement..

* **Curriculum Planning and Delivery**

To monitor and evaluate rates of progress and standards of achievement by pupils, including any underachieving groups.

To monitor and evaluate the impact of continuing professional development on improving staff performance , as reported in the Headteacher Report each term.

To set priorities for improvement, and monitor and evaluate the impact of improvement plans which relate to the committee’s area of operation.

To monitor and evaluate provision for all groups of vulnerable children (e.g. looked after children) and ensure all their needs have been identified and addressed, and to evaluate their progress and achievement.

To regularly review and develop the Assessment Policy and to ensure that the policy is operating effectively.

To consider recommendations from external reviews of the school (e.g. Ofsted or local school improvement advisers), agree actions as a result of reviews and evaluate regularly the implementation of the plan.

To ensure that all children have equal opportunities.

To advise the resources committee on the relative funding priorities necessary to deliver the  curriculum.  Engagement

To monitor the school’s publicity, public presentation and relationships with the wider community.

Headteacher to identify and celebrate pupil achievement and report to Curriculum Committee

To oversee arrangements for educational visits, including the appointment of a named co-ordinator.

To ensure all statutory requirements for reporting and publishing information are met and the school  website content is fully compliant and presented in an accessible way.

**Terms of Reference**

*Curriculum*

* To approve the school’s Curriculum Policy and to monitor implementation of changes to the school curriculum in line with national and local guidelines and requirements;
* To receive information from the Head Teacher and the staff about how the curriculum is taught, evaluated and resourced;
* To agree any specific involvement by individual ‘link’ governors in curriculum areas (School Improvement)

*Inclusion*

* To ensure that the requirements of children with special needs are met through establishing and monitoring a Special Educational Needs policy and any arrangements for most able children
* To ensure the needs of cared for children are met through the agreement and review of the relevant policy
* To monitor the progress of pupil premium children/ ever 6/ disadvantaged children to ensure their needs are being met
* To ensure that the school meets the statutory requirements relating to equality legislation (equality duty also link to Personnel)
* To monitor pupil attendance and set targets as necessary
* To monitor pupil discipline and behaviour, as reported in Headteacher’s Report

*General*

* To review the information and data about school performance
* To contribute towards the School Development Plan.
* To agree protocol for governor visits to the school and recommend to Full Governing Board.
* The equality and diversity objectives statement will be on Curriculum Committee agenda annually.

*Policies*

**The review and approval of policies delegated by FGB to Curriculum Committee as follows:**

Attendance and Punctuality

Assessment, marking and feedback

Sex and relationships Education

eSafety

Curriculum Policy

Teaching and learning policy

Curriculum Statement

Homework

School Behaviour and anti-bullying policy

Exclusions

**Curriculum Committee to review and recommend for approval by FGB:**

Safeguarding and Child Protection

School Development Plan

**Terms of Reference for the Pay Committee of the Governing Body at Bexton Primary School**

The Pay Committee will comprise *at least* 3 governors. All governors, including those employed at the school, will be eligible for membership of the Pay Committee and will be eligible to take part in any discussions (including those relating to individuals) where their interest is no greater than that of the generality of employees at the school.

**Establishment of the policy**

The Pay Committee is responsible for:

* Approving the policy, in consultation with the head teacher, staff and trade union representatives, and submitting it to the Governing Body for approval.

The Governing Body is responsible for:

* Formal approval of the policy
* Monitoring and review of the policy

The Pay Committee is responsible for:

* Reviewing the policy annually, in consultation with the Head teacher, staff and trade union representatives; and submitting it to the Governing Body for approval.

The Governing Body is responsible for

* Monitoring robustness of appraisal process by discussing statistical information and decisions taken in accordance with the terms of the policy;

**Application of the policy**

The Head teacher is responsible for:

* Ensuring that pay recommendations for the Assistant Heads, UPR and MPR class teachers are made and submitted to the Pay Committee in accordance with the terms of the policy;
* Advising the Pay Committee on its decisions; and
* Ensuring that staff are informed of the outcome of decisions of the Pay Committee and of the right of appeal.

The Pay Committee is responsible for:

* Taking decisions regarding the pay of the Assistant Head teachers, MPR and UPR classroom teachers following consideration of the recommendations of pay reviewers and the advice of the Head teacher.
* Submitting reports of these decisions to the Governing Body

The Appeals Committee of the Governing Body is responsible for:

Taking decisions on appeals against the decisions of the Pay Committee, in accordance with the terms of the appeals procedure in the policy.

**Headteacher Performance Management Panel**

**Membership**

Three governors including Chair. Membership confirmed for 2018-9 as Catherine Hulme (chair), Kathryn Woolf and Peter Woodhouse.

**Meetings:**

* Annual performance management review meeting to occur in Autumn Term.

**Terms of Reference:**

1. To consider the performance of the Headteacher against the set objectives.
2. To receive advice from the School Improvement Partner (SIP) on the achievement of objectives and work with the SIP to set objectives for the next year.
3. To review the Headteacher’s salary and make recommendations to the Full Governing Body.

**Working groups**

**Academy working group**

To meet as and when required, to fulfil work as set by full governing board, in relation to future academisation.

Membership: Matt Stephenson, Lucy Goldsmith, Lynne Lea, Jill Sach, Emily Armstrong, Catherine Hulme, John Squires, Sandra Bland.

To report back to each meeting of the full governing board

**Three year Plan working group**

Membership: Emily Armstrong, Sue Sharratt, Matt Stephenson, Peter Woodhouse, Catherine Hulme, Jill Sach.

To meet at approx. 4pm, as and when required, to fulfil work as set by full governing board, in relation to the three year strategic plan for the school.

An advisory group, to report back to each meeting of Full Governing Board

**Staff disciplinary/ staff dismissal panel**

**Purpose**

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

**Membership**

* The committee shall consist of at least three eligible Governors. Every Governor and associate member [other than the Headteacher and Staff Governor] is eligible for membership.
* Anyone involved in the investigatory stage may not be involved in making decisions at any subsequent disciplinary hearing.
* **The School Governance (Miscellaneous Amendments) (England) Regulations 2015** came into force on 1st September 2015 and made amendments to the School Staffing (England) Regulations 2009. The changes enable governing boards to include associate members on a committee set up to deal with staffing matters under the Staffing Regulations power of delegation. This does not include an associate member who is a member of staff at the school. Governing boards must ensure where they plan to use associate members on staffing panels that they are properly appointed to the committee and that this decision is recorded in their minutes. They will also need to decide what level of voting rights they will have to ensure that they have the required skills and training to fulfil the role they have been given.

Associate members can be counted towards the quorum required for the relevant staffing committee or panel. They can be included in any of the existing levels of delegation as an addition to, say, the Headteacher/and or one or more governors.

* The Committee may have an advisor at all meetings. The advisor is not eligible to vote.
* *If 2 or more neighbouring maintained schools wish to create a joint ”Disciplinary/Dismissal Committee”, to deal with matters relating to staff appointed to work across their schools or to provide impartiality in dealing with other cases, they may do so under the School Governance (Collaboration)(England) Regulations 2003. Such a joint committee does not exist in its own right, but acts under delegated powers from the collaborating governing bodies.*
* The committee shall agree a chair for each meeting.
* The clerk to the committee must be a person who is not a Governor of the school(s), an associate member or the Headteacher.

**Quorum:** Three

**Meetings**

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

**Decisions**Any decisions shall be made by a majority vote.

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

1. The employee(s) shall be given at least seven working days’ notice in writing of the hearing.
2. 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.
3. All relevant papers must be circulated, by all parties, to all parties, in advance of the hearing.
4. 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.
5. 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.
6. The employee shall have the right of appeal against any decision of the Disciplinary/Dismissal Committee.

**Complaints panel**

**Membership:**

* Membership is to be comprised of three governors who have had no previous involvement in consideration of the complaint and is considered impartial with respect to the complainant. A complaints appeal meeting will be held in accordance with the procedure in the Bexton complaints policy.
* The Governing Body will ensure that, where an issue is likely to be the subject of a complaint, they will identify a group of governors who will not be involved in the initial hearing, as soon as possible.
* To maintain the integrity and credibility of the panel’s decision, membership of the panel will be reviewed and revised if the complainant has reasonable grounds for objecting to the participation of any members of the appeal panel.

**Meetings:**

The committee will be convened in the event of a complaint and in accordance with the requirements of Bexton’s Complaints policy.

**Terms of Reference:**

1. To consider and make decisions on any complaint which has reached the appeals stage 3 of the Complaints procedure (see complaints policy). The committee will be convened when required and in accordance with the requirements specified in the procedure. Please refer to this procedure for details of the process, responsibilities and timescales.
2. To report summary outcomes of the appeal process to the Full Governing Body.

**Procedures**

The meeting of the governors’ panel should take place as soon as possible, but in any case a date should be set and communicated to the complainant within twenty working days of receipt of the appeal.

The governors’ decision should be communicated in writing to the complainant as soon as possible but, in any case, within five working days of the meeting.

The complainant will have no further right to appeal this decision within the school.

**Exclusions/ Pupil Discipline Panel**

**Membership**

Membership of three governors from pool of six named Governors, not including the Headteacher or any staff employed at the school.

The Pupil Discipline panel will meet as required and be convened by the clerk. The panel will consist of three members of the governing body. All members of the panel must be present. The Committee will comply with the Procedures for committees and panels

**Composition of the Committee**

The committee will comprise: Not less than 3 members of the Governing Body. The Headteacher and any governor with prior knowledge of the pupil or the incident are disqualified from sitting on this committee.

**Quorum**

 Three governors.

**Election of Chair**

The committee will elect a chair as required each time the panel meets.

**Meetings**

The committee will meet as necessary. The committee will be clerked by the Clerk to the Governing Board. Draft minutes will be sent for approval to the panel members, a copy kept for reference on the Confidential Minutes file, and a copy kept on the pupil’s file. Matters dealt with by this committee are confidential and minutes will be safeguarded. The committee will report back to the full governing body as required.

**Review**

The full governing body will review the terms of reference annually.

**Terms of Reference**

1. To carry out the procedures required in respect of pupil exclusion legislation and best practice, as per the Bexton Primary School exclusions policy
2. Minutes will be sent to the Governors who attend the meeting of the panel, a copy kept for reference on the Confidential Minutes file, and a copy kept on the pupil’s file.
3. As matters dealt with by this committee are likely to be confidential, care must be taken that any documents are safeguarded accordingly.

The Headteacher is the only person with the power to exclude a pupil from the school. In his or her absence, the most senior teacher has the right to exclude a pupil from school. The Chair of Governors should be informed of the exclusion as soon as possible.

It is the duty of the Headteacher:

* where he or she excludes a pupil the parent should be informed immediately and followed up by a letter within one school day, and the reason for it;
* in exceptional cases, usually where further evidence has come to light, a fixed period exclusion may be extended or converted to a permanent exclusion. In such cases the Headteacher must write again to the parents explaining the change;
* where a pupil is excluded, the parent of the pupil must be informed that representations about the exclusion can be made to the Pupil Discipline Committee;
* where the Headteacher excludes a pupil for more than 15 days in aggregate in any one term, he or she shall inform the Pupil Discipline Committee without delay of the period of the exclusion and the reason for it. Similarly, this action should be taken if the exclusion is made permanent;
* where he or she excludes a pupil permanently and that decision is upheld by the Pupil Discipline Committee, as soon as it is reasonably practical, to inform the LEA of the decision by notice in writing.

It is the duty of the Pupil Discipline Committee, where they have been informed of the permanent or fixed-term exclusion of a pupil for more than fifteen days in aggregate:

* to consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated at all;
* where they consider the pupil should be reinstated, to give the appropriate direction to the Headteacher;
* where they consider that the pupil should not be reinstated to inform the parents of their decision.

It is the duty of the Headteacher where he or she has excluded a pupil, to comply with any direction for the reinstatement of the pupil given by the Pupil Discipline Committee.

It is the duty of the Pupil Discipline Committee to inform parents of a pupil who has been excluded permanently of their right to appeal against the decision.

The Clerk to the governors should try and organise the meetings so that it is convenient to all parties. Governing body panels need now only automatically take place for permanent exclusions or fixed term exclusions over 15 school days in a term. Parents have a right to request a meeting for shorter fixed term exclusions. For permanent exclusions a Local Authority Officer must be invited to the meeting (Education Support Access Officer 01625 374241 / 07767 481849).

The Governing Body Committee should comprise either 3 or a maximum of 5 members. Good practice suggests it is better to have a committee of 3 members. In the interests of natural justice it should be obvious to the parents that the Head has not had contact with the Governors prior to the meeting and the Head and the LA officer should be invited to join the meeting at the same time as the parents / pupil.

Arrangements must be made to ensure that the hearing is "as open as possible". Governors, parents, Head and the Local Authority representative should receive any papers regarding the exclusion at least 5 days before the meeting and parents should be notified of their right of access to their child's school record. Parents should be invited to state their case and to forward a written statement in advance of the meeting if they want to. Parents do not have to prepare a written statement and may prefer to make verbal representation.

The panel may find it helpful to agree the following procedure before the meeting commences:

a)  When to invite the family, their representatives, the LA officer and Head into the meeting and how parents are going to be informed of the outcome.

b)  Chair welcomes and introduces everyone.

c)  Chair outlines the purpose of the meeting and the procedures to be followed. (suggested procedure on the intranet). The Chair should also explain how the decision will be reached.

d)  Chair invites Head to speak.

e)  Parents have an opportunity to question the Head.

f)  Governors and Local Authority officer have an opportunity to question the Head.

g)  Family invited to put the case on behalf of the pupil. In many cases the pupil may want to speak themselves.

h) Head has an opportunity to question the family / pupil.

i)  Governors and Local Authority Officer have an opportunity to question the family / pupil.

j)  Opportunity for final comments from the Head.

k)  Opportunity for final comments from the family.

l)  Family, Head and Local Authority Officer leave the meeting.

m)  Governors discuss and reach a decision.

What the members of the Governing Body must consider in reaching their decision

a)  Was the pupil responsible for the action, which led to exclusion?
Has the Head Teacher demonstrated that every effort has been made to investigate the incident thoroughly and that the investigation demonstrates the pupil's involvement on a balance of probabilities?
Was the pupil allowed to give his/her version of events and was the incident provoked by racial/sexual harassment?

b)  Was this incident, in itself, serious enough to warrant the fixed term / permanent exclusion

c)  If this was part of a pattern of unacceptable behaviour, has the school followed the government guidance of early intervention and alternatives to exclusion (Part 1 Improving Behaviour & Attendance: guidance on exclusion from schools and Pupil Referral Units)?

d)  Does the Home/ School Agreement make clear what is expected of every pupil? Were the pupil and parents/carers clear about the schools’ expectations? Does the school regularly promote its Home/ School Agreement for example in classrooms, assemblies, reintegration meetings, parents’ evenings / meetings, annual reports and the school prospectus in order that every pupil understands the level of expectation?

e)  Would allowing the pupil to remain in school seriously harm the education or welfare of the other pupils or others in the school.

f)  The Governors may invite the family and the Head Teacher to re-enter the room once a decision has been made. Or they may prefer to ask the parents to leave after the meeting and send a letter out in the post to inform them of their decision. This letter should be sent out either on the same day as the meeting or the next day if the meeting took place later in the day.

g)  The Chair must advise the Head Teacher and the parents that they will be notified in writing of the decision within 1 working day of the meeting.

h)  The clerk should notify the Local Authority of the governors decision by forwarding a copy of the letter to Exclusions@cheshireeast.gov.uk within 2 days.

i)  As with all meetings of Governing Body Committees, minutes of the hearing must be taken and the decision recorded appropriately. Minutes taken in a representational hearing refer to an individual pupil and, therefore must be treated as confidential.

**Appeals committee (including grievance, staff dismissal, pay)**

**Membership:**

* At least 3 governors, none of which will have any prior knowledge of the matter, and not the headteacher.

**Terms of Reference:**

* + To consider any appeal against a decision to dismiss a member of staff made by a Hearings Committee\*
	+ To consider any appeal against a decision short of dismissal under the Governing Body’s personnel procedures e.g. disciplinary, grievance, capability\*
	+ To consider any appeal against selection for redundancy\*
	+ To consider any appeal against a decision of the Pay Committee with reference to Performance related pay.
	+ Any items which individual governing bodies may wish to include

\*cannot be delegated to an individual

**Appeals Committee in relation to a staff grievance (In relation to stage 2 of Bexton Staff grievance policy,)**

* If the employee is dissatisfied with the outcome of the grievance they should write to the Chair (or Vice Chair if the grievance was heard formally by the Chair) of governors within 10 working days of receipt of the written outcome of Stage 1 expressing their intention to appeal and their reasons why. On receipt, the Chair (or Vice Chair) of Governors should seek advice from Education HR Consultancy before proceeding.
* The Chair (or Vice Chair) of Governors will arrange a hearing with the Governing Body’s Grievance Appeals Panel within 10 working days of receipt of the appeal. It is recommended that a Grievance Appeals Panel consists of 3 members of the Governing Body (although this is not a statutory requirement) who have had no previous involvement with the process
* If the employee or their representative cannot attend at the agreed time and date, an alternative time can be proposed which must be within five working days of the original date or otherwise by mutual agreement. If the second appeal meeting is cancelled for no valid reason then the meeting will not be re-arranged and it will be taken that the grievance has been withdrawn.
* The Chair (or Vice Chair) of Governors may request an Education HR Representative to support at the meeting.
* The Chair (or Vice Chair) of Governors will send a copy of the appeal to the head teacher, and ask him/her to submit any observations they wish to make. They may also ask other relevant parties to the grievance for their observations as appropriate.
* All relevant documents shall be submitted to the parties concerned and members of the Appeals Panel for the purpose of hearing the appeal.
* The employee raising the grievance will be given 5 working days notice of the appeal hearing and have the right to be accompanied by their trade union representative or work colleague.
* If the grievance is against another employer they will also be given 5 working days notice of the time and place of the hearing and be advised of their right to representation.
* The parties concerned, if they wish, may make additional submissions in writing if they are not required to attend the hearing and any new evidence arising during the appeal will be considered before any decision is taken.

The Appeals Panel will:

* Consider the evidence from the original hearing together with any new evidence that has been submitted
* Provide the employee raising the grievance with the opportunity to make representations regarding the reasons for their appeal and if the grievance is against another employee he/she will be given the opportunity to respond
* Consider whether further investigations are needed
* The Appeals Panel will make a final decision after considering the evidence given in the appeal and decide on whether any further action is necessary. The decision of the Appeals Panel decision will be confirmed in writing within 10 working days of the Panel Hearing.
* The decision of the Appeals Panel is final.