



## **TUDOR COURT PRIMARY SCHOOL**

### **TERMS OF REFERENCE FOR STATUTORY COMMITTEES**

**2023/2024**

September 2015

## **HEADTEACHER'S PAY COMMITTEE**

### **Delegation of Function**

The Governing Body shall establish a Headteacher's Pay Committee to deal with all pay and performance matters relating to the Headteacher and to implement the approved Pay Policy in respect of the Headteacher's pay.

### **Clerking**

The meeting of the Headteacher's Pay Committee should not be clerked by a Governor, an Associate Member, and a member of the Committee or the Headteacher and will usually be clerked by the Clerk to the Governing Body.

### **Membership**

The Headteacher's Pay Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees or Associate Members.

### **Quorum**

The quorum for this Committee shall be three Governors

### **Terms of Reference**

- To undertake the performance management process in respect of the Headteacher, including the agreement, monitoring and review of performance management objectives.
- To determine the salary of the Headteacher.
- To recommend the appropriate Individual School Range within which the Headteacher's salary should fall and any discretionary payments to the Full Governing Body for ratification.

The Headteacher and/or his/her representative are able to make representations in writing or in person to the Headteacher's Pay Committee if they wish to do so.

## **PAY COMMITTEE**

### **Delegation of Function**

The governing body shall establish a Pay Committee to set the Pay Policy for the school and to implement the approved Pay Policy in respect of the pay for all staff.

### **Clerking**

Clerk to the Governing Body

### **Membership**

The Pay Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees.

The headteacher may attend all proceedings of the Pay Committee for the purpose of providing information and advice, but must withdraw when their own salary is being discussed.

### **Quorum**

Three governors

### **Terms of Reference**

To determine the Pay Policy for the school.

To advise the Governing Body/Finance Committee on current and future pay level.

To ratify appropriate salary ranges and starting salaries for Lead Practitioners, and members of the leadership group.

To ratify annual pay progress for teachers (by 31 October at the latest) as set out in the Pay Policy, taking account of any recommendations made on the Performance Management review statement, in accordance with the approved Pay Policy.

To approve applications to be paid on the Upper Pay Range.

To approve annual pay progression for the headteacher (by 31 December at the latest), taking account of the recommendation made by the Headteacher's Performance Review Panel, following the annual review.

To determine the application of national inflationary increases as required.

To monitor and report to the full Governing Body on the annual pattern of performance pay progression at each level and the correlation between pay progression, quality of teaching and outcomes for pupils.

## **PAY APPEALS COMMITTEE**

### **Delegation of Function**

The Governing Body shall establish a Pay Appeal Committee to deal with all appeals against pay decisions.

### **Clerking**

Clerk to the Governing Body

### **Membership**

The Pay Appeals Committee shall consist of at least three named members of the Governing Body, none of whom shall be employees or members of the Pay Committee.

The headteacher may attend all proceedings of the Pay Appeals Committee for the purpose of providing information and advice (except where the appeal is in respect of his/her own salary, where he/she will attend for the purposes of making his/her case).

### **Quorum**

Three governors

### **Terms of Reference**

To determine formal appeals against pay determinations in accordance with the Appeals Procedure set out in the Pay Policy.

## **PUPIL DISCIPLINE (EXCLUSIONS) COMMITTEE**

*The Governing Body can delegate some or all of its functions in respect of exclusions to a committee consisting of at least three governors and such a committee may be called the Discipline Committee. Reference in this document to the Governing Body should be taken to include reference to the Discipline Committee where one has been established.*

### **Membership**

The Discipline Committee shall consist of not less than three members of the Governing Body, none of whom shall be the headteacher. Associate Members can be members of the Committee. If any governor has a connection with the pupil, or knowledge of the incident that led to the exclusion that could affect his or her ability to act impartially, he or she should step down. The Chair has the casting vote in all cases where an even number of governors are considering the case.

### **Quorum**

Three

### **Clerking**

The Clerk to the Governing Body.

### **Control and Procedure**

The headteacher is statutorily responsible for determining measures to secure good behaviour. The governors have powers to draw up a written statement of general principles and to provide specific guidance to the headteacher on particular disciplinary matters. The headteacher is responsible for putting any general principles set out by the governors into practice and for dealing with individual cases.

The use of corporal punishment is forbidden.

### **Exclusions**

The headteacher is the only person with the power to exclude a pupil from the school. In his/her absence, the acting headteacher has the right to exclude a pupil from school. A pupil may not be excluded for an indefinite period; exclusion must be for a fixed term or permanent.

1. The headteacher must adhere to the following:
  - a) where he/she excludes a pupil the parent must be informed immediately and this must be followed by a letter (using the recommended format) within one school day of the exclusion
  - b) 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 reasons for the change
  - c) the Governing Body and the Local Authority must be informed, within one school day, of:
    - exclusions which would result in the pupil being excluded for more than five school days (or more than ten lunchtimes in any one term)
    - exclusions which would result in the pupil missing a public examination
  - d) the Local Authority must be informed immediately of any permanent exclusion so that alternative education arrangements can be made
2. The Governing Body cannot increase the severity of the exclusion.  
It is the duty of the Governing Body, where they have been informed of the permanent or fixed term exclusion of a pupil for more than fifteen days in one term:

- a) to consider whether the pupil should be reinstated immediately, reinstated by a particular date or not reinstated
  - b) where they consider he/she should be reinstated, to give the appropriate direction to the headteacher
  - c) where they consider that he/she should not be reinstated to inform the parents of their decision
3. On receiving notice of an exclusion from the headteacher, the Governing Body:
- a) must, in the case of one or more fixed period exclusions totaling five school days or less in any one term, consider any representations from the parent. If representations from the parent are received they should convene a meeting to consider the representations, **although they cannot direct reinstatement**
  - b) must in the case of one or more fixed period exclusions totaling more than five but not more than fifteen school days in any one term, convene a meeting between the 6<sup>th</sup> and 50<sup>th</sup> school day after receiving the notice of exclusion, to consider the exclusion, if the parent requests a meeting
  - c) must in the case of a permanent exclusion, or one or more fixed period exclusions (including lunchtimes) totaling more than fifteen school days in any one term, convene a meeting between the 6<sup>th</sup> and 15<sup>th</sup> school day after the date of receipt of notice to consider the exclusion
  - d) must invite the parent, headteacher and a Local Authority officer to the meeting at a time (within the statutory time limit) and place convenient to all parties
  - e) should ask for any written statements (including witness statements) in advance of the meeting
  - f) should circulate at least five days in advance any written statements (including witness statements) and a list of those who will be present at the meeting to all parties
  - g) where a short exclusion of up to five days causes the pupil to miss a public examination the Chair may consider reinstatement if the Disciplinary Committee is unable to meet before the examination date

The Discipline Committee should normally allow the excluded pupil to attend the meeting and speak, at the parents' request. Parents should be allowed to be accompanied by a friend or legal representative if they wish.

4. It is the duty of the headteacher where he/she has excluded a pupil to comply with any direction for the reinstatement of the pupil given by the Discipline Committee.
- Permanent exclusions.
  - It is the duty of the Discipline Committee to inform parents of a pupil who has been excluded permanently of their right to ask for the case to be considered by an Independent Review Panel.

## Meetings

Committee meetings will be held as required. Clerks should be mindful when drafting minutes of the meeting that parents are entitled to see them. Confidential minutes will be circulated to members of the committee within seven days. Minutes should be sent to parents when requested. A verbal report, as a confidential item, will be given at the next Governing Body meeting if and when the matter has been resolved.

## **DISCIPLINARY/DISMISSAL COMMITTEE**

### **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 the School's procedure (academies)*, or in the case of discipline, where the Headteacher has had detailed prior involvement or where the case involves the Headteacher.

### **Membership**

The Committee shall consist of at least three eligible governors. Every governor (other than the Headteacher and staff governor(s)) is eligible for membership. Associate Members are now eligible for membership of this committee (maintained schools only).

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.

*If two or more neighbouring 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 as amended. Such a joint committee does not exist in its own right, but acts under delegated powers from the collaborating governing bodies (maintained schools).*

*Academies can foster a formally written partnership agreement, where each academy trust signs up to a collaboration agreement.*

### **Quorum**

Three

### **Meetings**

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

### **Chair**

The Committee shall agree a chair for each meeting.

### **Clerking**

The Clerk to the Governing Body

### **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 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 Committee.



## **DISCIPLINARY/DISMISSAL APPEALS COMMITTEE**

### **Purpose**

To consider any appeals against decisions by the Headteacher/Staff Disciplinary/Dismissal Committee.

### **Membership**

The Appeals Committee shall consist of at least three eligible governors. Every governor other than the Headteacher and staff governor(s) is eligible for membership. Associate Members are now eligible for membership of this committee (maintained schools only).

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.

*If two or more neighbouring schools wish to create a joint "Disciplinary/Dismissal Appeals 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 as amended. Such a joint committee does not exist in its own right, but acts under delegated powers from the collaborating governing bodies (maintained schools).*

*Academies can foster a formally written partnership agreement, where each academy trust signs up to a collaboration agreement.*

### **Quorum**

Three

### **Meetings**

The Disciplinary/Dismissal 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 Governing Body

### **Decisions**

Any decisions shall be made by a simple majority.

### **Procedure**

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

The appeal hearings shall be in private and minuted.

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

The employee(s) shall be entitled to attend the appeal 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, in advance of the appeal hearing.

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.

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

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 normally be confirmed in writing to the employee within 5 working days of the hearing.

The Appeal Committee's decision will be final, notwithstanding the employee's right in law.

## **ADMISSIONS COMMITTEE**

### **Delegation**

The Governing Body has established an Admissions Committee:

- to discharge the functions conferred on it by relevant Education Acts and Regulations
- to determine and review the admissions policy for the school
- to rank all applications in accordance with the current determined admissions policy
- to ensure the school continues to serve the needs of the whole community and compliance with the School Admissions Code

### **Membership**

The Admissions Committee shall exist of not less than three governors one of whom shall be the headteacher. No member of the committee can be an Associate Member of the Governing Body (maintained schools).

### **Quorum**

The quorum of the committee shall be three governors.

### **Procedure**

The Committee will annually review the impact of all aspects of the school's admission policy and practice.

The Committee will consider any application for admission in accordance with the school's admissions policy.

Where the Committee refuse a request from a parent for admission of their child the Committee will ensure that the parent is informed of their right of appeal against the decision and how that appeal may be made.

The Committee will have full regard to the School Admissions Code and comply with all of the mandatory provisions of the Code.

### **Meetings**

Meetings will be held on an as and when needed basis.

Minutes of all meetings will be taken and retained.

Decisions will be reported to the full Governing Body.