**Model Document**

**Simply insert your logo and amend to suit your requirements.**

**This is a recommended terms of reference for a committee of the governing body/board of trustees. Any committees of the governing body/board are required to have terms of reference**

****This document can be amended to include specific reference to the ethos of your school.

****This document can be tailored to reflect your specific governing board and school structure, whether it is a maintained school or academy, a single school, or group of schools.

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*Italic type references edits that are specific to academies or trusts. Unless otherwise stated, ‘school’ includes academies, and it applies to all levels of school governance.*

**Disciplinary and Dismissal Committee – Model Terms of Reference**

**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/Scheme of Delegation (academies)*, or in the case of discipline, where those with powers to hear cases have had detailed prior involvement or where the case involves those persons.

*Academies and Multi-Academy Trusts (MATs) – please amend in line with your Scheme of Delegation.*

**Membership**

The Committee shall consist of at least three eligible governors/trustees who have not been involved at any previous stage of the process. Every governor/trustee (other than the Headteacher and staff governor(s)/trustees(s)) is eligible for membership. Associate Members are 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 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 and 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* [*The School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.*](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/270783/school_governance_regulations_2013_departmental_advice.pdf) *Such a joint committee does not exist in its own right but acts under delegated powers from the collaborating governing boards (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 and Dismissal Committee shall meet on an as required basis.

Meetings can be held face to face or virtually with the consent of the Chair and the agreement of the employee.

**Chair**

The Committee shall agree a chair for each meeting.

**Clerking**

The clerk to the committee must be a person who is a Governance Professional and not a *governor/trustee* of the school(s), an Associate Member, Headteacher or a member of staff.

**Decisions**

Any decisions shall be made by a simple majority.

The employee shall have the right of appeal against any decision of the Disciplinary and Dismissal Committee.

**Procedures**

All hearings shall be held in accordance with the relevant policies, procedures, guidance and legislation.