

Appendix H

Shenfield High School Staff Hearings and Appeals Panel

Membership

This is not a standing Committee of the Governing Body, therefore has no permanent membership. When required to convene, the Panel will have an odd number of members and a minimum of three members of the Governing Body, none of whom shall be the Head or a staff governor. They can be but do not need to be the same members who sit as the Resources Committee and must not be when they have been involved in any investigation or prior decision which the Panel has to consider. Where the Head is not involved in presenting the case or is not the person under consideration, she or he can give advice to this Panel. Governors convened to sit as this Panel will usually be appointed on an occasion by occasion basis by the Chair of the Governing Body from a list approved by the Governing Body. Different governors will be called upon to deal with different stages of any appeal which goes beyond the first stage.

If the conduct of the Head is under consideration, the Panel shall include an independent member who is not otherwise connected with the School.

Chairmanship

Any governor serving the Panel.

Clerk

HR Manager

Quorum

Three members.

Frequency of Meetings

As and when required.

Minutes

The minutes will remain confidential to the Panel members until after any appeal hearing has been completed, when the minutes of the Panel and the appeal will be made available to any member of the Governing Body. A report of actions taken will be given to the Governing Body by the Chairman at the appropriate Governing Body meeting.

Terms of Reference

1. To make any decisions relating to any member of staff other than the Head, under the Governing Body's Staff Management policies.
2. Consider such staff grievance cases as may be referred to the Panel in accordance with the School's Grievance Procedures.
3. Consider such staff capability cases as may be referred to the Panel in accordance with the School's Capability Procedures.
4. Consider such staff disciplinary cases as may be referred to the Panel in accordance with the School's Disciplinary Procedures.
5. Consider any other appeal from staff against the decision of the Headteacher, as provided for in other school policies (eg flexible working policy, probation policy).

6. Consider any other appropriate staff-related incidents or disputes at the request of the Head or Chair of Governors.
7. Suspend any person employed to work at the School where, in the opinion of the Panel or the Head, exclusion from the School is required and be informed of such a suspension where it is undertaken by the Head.
8. Determine any suspension where this is considered the appropriate action and inform the Head of this action.
9. Terminate the employment of any person employed at the School as determined by the Panel, where the decision to terminate rests with the Panel rather than the Head.
10. Hear any appeal against decisions made by the Head or the Panel in accordance with the School's Grievance, Capability or Discipline Policies. In this latter instance, the Appeal panel will consist of a minimum of three governors, none of whom should have had any prior involvement in the matter and should not be a staff governor.
11. Make any decisions under the Governing Body's procedures where the Head is the subject of the action

Advice

*It will be usual practice for the Panel to seek and act only upon the advice of **Essex County Council Education HR Service** when acting in this capacity.*