



Neatishead and Salhouse Federation

Dismissal and appeal committee hearings Procedure

Formally adopted by the Governing Body/ Trust of:-	Neatishead 7 Salhouse Federation
On:-	
Chair of Governors/Trustees:-	16/01/2018
Last updated:-	R Barker

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Model procedure guidance [delete once adopted]

Governing bodies and Trusts have the option of adopting this model procedure or developing their own. This model procedure includes any requirements of statute, any national and/or local conditions of service and identifies access to LA funding where this is available (maintained schools only). Any school/academy choosing not to adopt this model must ensure that any local procedure complies with the requirements of statute and any relevant national or local conditions of service. A local procedure would need to be the subject of full consultation with all the recognised trade unions before adoption.

With regard to this model, the school/academy can:-

- adopt it as their procedure
- adapt it to be their procedure (using the model as a basis but with changes being made), or
- ignore it (and develop or adopt an alternative procedure).

Throughout the model procedure, reference is made to “Headteacher” but this should be changed on adoption where the individual school/academy leader holds the post of “Principal” (or other appropriate title). Similarly, where reference is made to “schools” this should be changed on adoption where any individual establishments within a Trust etc are known as “academies”.

Please note that ‘school’ in this document refers to any maintained school and ‘academy’ means any academy or free school. It is likely that an academy Trust will want to determine a policy to be applied equally across any academies it is responsible for. Equally, any schools that are joined together under one governing body should have one policy covering all employees.

This model has been agreed by recognised trade unions for schools and academies at County level.

Procedure

1. The Committee should elect a Chairman who should then introduce those present and explain the purpose of the hearing. The Chairman must state clearly the issue for consideration at the hearing.
2. The Headteacher, or their adviser, should outline the case against the employee, calling on any witnesses and documentation available.
3. For each witness called by the Headteacher, the employee (or their companion) should be given the opportunity to ask questions and the members of the Committee and their adviser should be given the opportunity to ask questions. The Headteacher, or their adviser, then has the opportunity to re-examine the witness.
4. On the conclusion of the Headteacher's presentation, the employee, or their companion, should be given the opportunity to ask questions.
5. The members of the Committee and their adviser should be given the opportunity to ask questions of the Headteacher.
6. The employee, or their companion, should then outline their case, calling on witnesses and documentation if these are available.
7. For each witness called by the employee, the Headteacher (or their adviser) should be given the opportunity to ask questions and the members of the Committee and their adviser should be given the opportunity to ask questions. The employee or their companion, then has the opportunity to re-examine the witness.
8. On the conclusion of the employee's presentation, the Headteacher, or their adviser, should be given the opportunity to ask questions.
9. The members of the Committee and their adviser should be given the opportunity to ask questions.
10. The employee, or their companion, should be given the opportunity to call on their witnesses again.
11. The Headteacher, or their adviser, should make a closing statement.
12. The employee, or their companion, should make a closing statement.
13. The Chairman should call an adjournment to enable the members of the Committee to discuss the case with their adviser and reach a decision.
14. Should the members of the Committee require further information or clarification, both parties to the hearing should be recalled.

15. The Chairman should reconvene the hearing with both parties present to inform the employee and their companion of the decision of the Committee and the right of appeal, if applicable.
16. The Chairman may vary the order of procedure in exceptional circumstances and at any stage in the proceedings a request by either side for an adjournment may be granted at the discretion of the Committee.
17. If the Committee determines that the employee should be dismissed with notice, the Chairman should confirm this in writing within five working days to the employee and explain the right of appeal. (Note – for Appeal hearings there will be no further right of appeal beyond the hearing).
18. The Governors on the Committee will maintain confidentiality and there will be no discussion about the case with others, including other members of the Governing Body.

Associated documents

- Capability model procedure – support staff (P329)
- Capability model policy – teachers (P329b)
- Capability guidance – support staff (G329)
- Capability guidance – teachers (G329a)
- Personal action plan F329

Appendix 1 – Table of changes from March 2017

Date of change	Paragraphs affected	Summary of update
01/03/2017	All	New formatting due to launch of new HR website, HR InfoSpace – no change to content