

**Finham Park Multi-Academy Trust (the Trust)**

**Terms of Reference**

**Pay, Appraisal and Personnel Committee 2019/20**

**1 Constitution**

- 1.1 The Board of Directors (the **Directors**) of Finham Park Multi-Academy Trust (the **Trust Board**) hereby resolves to establish a committee of the Trust Board to be known as the Pay, Appraisal and Personnel Committee (the **Committee**).

**2 Membership**

- 2.1 The Committee shall have a minimum of three members and a maximum of five members. A majority of Committee members must be Directors of the Trust Board.
- 2.2 The Committee's current members are:
- 2.2.1 P.Burns; F.Anderson; J.Blundell; M.Bailie; P.Parkes
- 2.3 Subject to paragraph 2.4, the Committee shall at the first meeting of each academic year elect a member to act as chair of the Committee (the **Chair**). The Committee will elect a temporary replacement from among the members present at the meeting in the absence of the Chair.
- 2.4 No person may act as Chair under paragraph 2.3 unless they are also a member of the Trust Board.
- 2.5 The Executive Headteacher shall ensure that a clerk is provided to take minutes at meetings of the Committee.
- 2.6 The Committee may invite attendance at meetings from persons who are not Directors or Committee members to assist or advise on a particular matter or range of issues. Such persons may speak with the permission of the Chair but shall not be entitled to vote.

**3 Remit and responsibilities of the Committee**

- 3.1 The Committee shall be responsible for the matters set out in the Schedule.

**4 Proceedings of Committee meetings**

- 4.1 The Committee will meet as often as is necessary to fulfil its responsibilities but at least three times a year.
- 4.2 Any two Committee members can request that the Chair convene a meeting by giving no less than 14 days prior notice.

- 4.3 The quorum for the transaction of the business of the Committee shall be a majority of the Committee members and no vote on any matter shall be taken at a meeting of the Committee unless the majority of members of the Committee present are Directors of the Trust.
- 4.4 Every matter to be decided at a meeting of the Committee must be determined by a majority of the votes of the members present and voting on the matter.
- 4.5 Each member present in person shall be entitled to one vote.
- 4.6 Where there is an equal division of votes the Chair shall have a casting vote.
- 4.7 A register of attendance shall be kept for each Committee meeting and published annually.

## **5 Authority**

- 5.1 The Committee is authorised by the Trust Board to:
  - 5.1.1 carry on any activity authorised by these terms of reference; and
  - 5.1.2 seek any appropriate information that it requires from any officer of the Trust and all officers shall be directed to co-operate with any request made.

## **6 Reporting Procedures**

- 6.1 Within 14 days of each meeting the Committee will:
  - 6.1.1 produce and agree minutes of its meetings;
  - 6.1.2 provide a summary document identifying (i) decisions made, (ii) recommendations to the Trust Board, (iii) any items for the information of the Trust Board and (iv) items for further discussion by the Trust Board.  
  
(together called the “Committee Reports”).
- 6.2 The Committee Reports can be agreed by Committee members by email.
- 6.3 The Committee Reports will be sent to the Trust Board within 21 days following each Committee meeting.
- 6.4 The Committee shall arrange for the production and delivery of such other reports or updates as requested by the Trust Board from time to time.
- 6.5 The Committee shall conduct an annual review of its work and these terms of reference and shall report the outcome and make recommendations to the Trust Board.

**16<sup>th</sup> July 2019**

## Schedule

### Responsibilities of the Pay, Appraisal and Personnel Committee

#### Pay

- 1 To prepare and submit recommendations for the adoption by the Trust Board of:
  - a) an appraisal policy; and
  - b) a pay policy for the Academies
- 2 To operate in accordance with the statutory appraisal regulations and the relevant Academy's adopted policy as follows:
  - a) to select an external adviser to advise the Committee undertaking the appraisal of the Headteacher
  - b) to take advice from the external adviser when agreeing objectives and reviewing the Headteacher's Appraisal
  - c) to agree Appraisal objectives with the Headteacher
  - d) to conduct the Headteacher's appraisal
  - e) to determine whether the outcome of the Headteacher's appraisal meets the criteria for pay progression as covered under the adopted pay policy
  - f) to support the Headteacher with the annual report to the Trust Board on appraisal arrangements and outcomes
  - g) a panel selected from this Committee to hear any appeal by a teacher against entries made within their appraisal statement
- 3 To moderate pay decisions across the Trust's Academies.
- 4 A panel selected from this Committee to hear any appeal by a teacher employed at any Academy against the outcome of their threshold assessment application.
- 5 To determine annually, the Appraisal and Pay Policies adopted by the Academy and the Academy's salaries budget, the salaries of teaching staff.
- 6 To determine annually, in accordance with the adopted Pay Policy and any appropriate regulations and agreements and within the Academy's salaries budget, the salaries and gradings of support staff.
- 7 To deal with any other matters relating to pay, appraisal and employment as may be referred by the Trust Board.

#### Grievances

- 8 To consider staff grievances where there is a referral under the grievance procedure adopted by the Trust Board. A panel comprised of members of this Committee will consider the grievance and seek to resolve the matter following a process and hearing conducted in accordance with the adopted procedure.

- 9 To consider staff complaints of harassment where there is a referral to the Committee under the procedure adopted by the Trust Board. The Committee will consider the complaint and seek to resolve the matter following a process and hearing conducted in accordance with the adopted policy.

#### **Staff Discipline/Dismissals**

- 10 Under the disciplinary or capability procedures for the Headteacher adopted by the Trust Board, to consider formal action against the Headteacher and for a panel comprised of member of this Committee to make a determination as provided for under either procedure. The Committee will be responsible for the future review of any sanction short of dismissal as required under the relevant procedure.
- 11 Under the disciplinary or other relevant procedures (e.g. relating to capability, staff reductions or incapability due to ill-health) adopted by the Trust Board, to make any determination that any member of staff employed at the Academy should be dismissed from their post.
- 12 Before taking a decision on dismissal, to give the member of staff concerned an opportunity to make representations on the proposed action and to consider those representations at a formal meeting conducted in accordance with the relevant adopted procedure.
- 13 Where it is determined that a member of staff should be dismissed, to ensure that the member of staff is notified of the decision, the reason for it and that the member of staff has a right of appeal against the decision.

**Commented [I1]:** As drafted, the panel for disciplinary action would need to come from this Committee. Committee members will need to be selected with care.

#### **Staff Appeals**

- 14 Under the disciplinary procedure or capability procedure adopted by the Trust Board, to consider any appeal against a sanction short of dismissal issued by the Headteacher or by the staff discipline/dismissal Committee to a member of staff employed at the Academy.
- 15 Under the disciplinary or other relevant procedures (e.g. relating to capability, redundancy or incapability due to ill health) adopted by the Trust Board, to consider any appeal against a decision of the staff discipline/dismissal Committee to dismiss from their post a member of staff employed at the Academy.
- 16 To consider appeals under other procedures as may from time to time be delegated by the Trust Board, including appeals under the Academy's adopted Pay Policy.

#### **Personnel**

- 17 To receive reports and make recommendations to the Trust Board on all aspects of matters relating to staff at the Academies.
- 18 To advise on the strategic planning of human resources.
- 19 To monitor the communication and consultation of policies and processes to staff and review feedback.

- 20 To advise on the means of achieving active participation by staff in policy development.
- 21 To advise and recommend revisions to those policies which affect staff, including but not limited to those which relate to recruitment, retention, record-keeping, induction, training, allegations against staff, equalities, discipline and grievance, professional conduct, professional development, charging and remissions, training, Appraisal management, management of stress, trade unions, whistle-blowing and pay.
- 22 To ensure the legal requirements for NQT induction are complied with.
- 23 To hear, consider and make any initial decisions about matters relating to the discipline of staff or staff grievances in accordance with adopted procedures.
- 24 To carry out a review of the staffing establishment whenever there is a vacancy and at least once per year in relation to the staffing element of the Academy development plan.
- 25 To advise the Trust Board on the appointment of the relevant Headteacher.
- 26 The Trust Board delegate the appointment of supply staff and temporary staff appointed for one term, and non-teaching staff to the relevant Headteacher.
- 27 Non-teaching staff, appointed to support children with special needs, will be appointed in consultation with the Academy SENCO.