

**SOUTH THAMES COLLEGES GROUP CORPORATION
TERMS OF REFERENCE SPECIAL COMMITTEE**

1. PURPOSE

The STCG Corporation shall establish a Special Committee to consider disciplinary matters related to Senior Post Holders.

2. MEMBERSHIP

- a. The Committee shall comprise up to five independent members of the Corporation.
- b. The Group Principal/ CEO, staff governors and student governors may not sit on the Committee. In addition, no person may sit on the Committee who has any interest in its findings or who has been involved in any way in an investigation or other disciplinary action leading up to the reference of the particular matter to the Committee unless it is reasonably impracticable to avoid. No person may sit on the Committee unless they are a member of the Corporation.
- c. The Chair of the Committee will be elected by the Committee.
- d. The quorum for meetings of the Committee shall be three.
- e. The Committee shall convene a meeting as soon as practicable after a reference to it.
- f. The Head of Governance shall act as Clerk to the Committee unless he/she is the subject of any matter to be considered by the Committee. In these circumstances an independent Clerk will be appointed.

3. TERMS OF REFERENCE

- a. To examine the case for the dismissal of a senior postholder referred to the Committee by the Chair of the Corporation, the Vice Chair of the Corporation, or a majority of the members of the Corporation.
- b. To give the person whose dismissal is to be considered the right to make representations. The representations, which may be made in writing, may also be made orally, for which purpose the person whose dismissal is to be considered may be accompanied and represented by a friend.

4. ATTENDANCE AT MEETINGS

- a. The Group Principal / CEO and / or Human Resources Director may be invited to attend meetings of the Committee save where he/she is the subject of any matter to be considered by the Committee. The Committee may invite other Senior Postholders to attend meetings when necessary.
- b. The Committee may invite the Corporation's advisers or other third parties to attend meetings of the Committee as appropriate (such persons shall not have a vote but shall be entitled to speak at the meetings).

5. EXTERNAL ADVICE

The Committee may seek the services of such external advisors as they feel necessary to fulfil their responsibilities

6. RECORD OF MEETINGS

The Committee shall make arrangements for every meeting to be minuted, including a record of decisions.

7. PROCEDURAL RULES

The procedural rules of the Committee will be those which govern the proceedings of the Corporation and its Committees. The Committee will meet when circumstances require.

8. REPORTING PROCEDURES

The minutes of the meeting shall be circulated to Corporation Members except for staff and student governors and senior postholders. The minutes shall set out all recommendations put forward by the Committee for consideration and approval by the Corporation.

9. AUTHORITY

The Committee is authorised by the Corporation to investigate any activity within its Terms of Reference, as set out in paragraph 2 of this document. It is authorised to seek any information it requires from any employees of the College and all employees of the College are directed to co-operate with any requests made by the Committee.

Points to Note

- When examining the case for dismissal, the Committee should consider whether the dismissal would be fair and reasonable in the circumstances, which may include (but is not limited to) reviewing the following:
 - any relevant documents and representations;
 - the terms and conditions of the senior postholder's employment;
 - any applicable disciplinary procedures;
 - any relevant ACAS guidance;
 - relevant legislation including unfair dismissal legislation, discrimination legislation and the Human Rights Act 1998.
- The Committee should prepare a written report containing its recommendations regarding the case for the dismissal of a senior postholder for consideration by the Corporation, a copy of which shall be sent to the person to whom it relates.

Reviewed January 2024
Approved by Corporation 6 February 2024