

DAG Busy Clerk's Guide to Formal Procedures

- 1. Policy/procedure:** Check you have the most up to date and correct version of the policy for the formal hearing. It is important to have the same policy the headteacher has used to instigate the hearing. Make sure you are confident to guide the governing board in terms of procedure for the meeting. If in any doubt, seek help or clarification beforehand from your school or academy's HR Consultancy Service, Governor Support or the relevant department. Do not become emotionally involved, or make judgements, remain impartial and record an accurate account of the proceedings. Would your minutes stand up in a court of law?
- 2. Read the policy and highlight the timeline:** Make sure you are clear about the timeframe for meetings and notification to staff/parents/parties – each policy is different and timelines may have changed to reflect the difficulties of hearings during COVID-19 see (7) below.
- 3. Information/Evidence Pack:** Liaise with the headteacher/PA/ Administrator or investigating officer for the information pack which will be needed by governors. This may be evidence, witness statements, correspondence etc. It is essential that this pack is complete as it is used as a reference in the hearing. The pack should also be legible and in sequence.
- 4. External Representation:** Such as unions or DCC, admissions etc. If required, try to get their availability first before contacting governors. They are usually extremely busy people who cover a large geographical area. They will need to be copied into all correspondence which is sent to the complainant.
- 5. HR Representation:** Contact the school or academy's HR Consultancy Service for availability and liaise with the HR Officer who should be copied into all correspondence. They may advise the governors and headteacher.
- 6. Governors:** Contact governors for availability and always have a reserve (or two) it is essential that these meetings are quorate. Try to secure governors with experience who can lead/advise other governors. Note: It is recommended the Chair is not part of the 1st or the 2nd Committee as they are most likely to have prior knowledge of the complaint.
- 7. Rooms:** Once the date is agreed for the hearing, liaise with the school or alternative school if necessary, to book a suitable room which ensures privacy and also provide a break-out room for attendees. Make sure the room has water and tissues provided and seating arrangements are appropriate. If the hearing is being held remotely ensure all parties are familiar with the virtual methods to be used. See specific COVID-19 guidance relating to the exclusion process [here](#).
- 8. Greet the attendees:** Escort the parties to the room and inform them of nearest WC, fire exits etc. If holding the hearing virtually ensure all attendees can access the online 'waiting room' prior to the meeting start time.

9. Minutes: These need to be as accurate as possible and this is one occasion when verbatim reporting may be appropriate. If the clerk needs time to catch up or is unclear about anything said they should ask as governors may then ask for details to be read back for clarification before making a decision. The clerk should stay for the discussion leading to a decision in case they require any information from the minutes or procedural advice and minute the decision following the discussion, but not the discussion itself.

10. Notification of Decision/Conclusion of the Meeting: The governors will announce their decision at the end of the hearing and may communicate this in person on the day with the clerk needing to confirm this decision by letter again within the timeframe included in the policy taking into account any COVID-19 timeline changes. All papers are to be collected by the clerk at the end of the meeting with Data Protection policy applied to retention of files.