



## DEFINITIONS GUIDE

For the purposes of all School policies the following definitions shall apply (not all defined terms will be material to all policies or the procedures authorised by the governing body under it).

Appeal Committee	A Committee appointed to determine an appeal against the decision of another Committee. It must not include any prejudiced person but must include the same number of governors as were members of the Committee which made the previous decision against which the appeal is to be made.
Appraisal Cycle	A formal assessment of the performance of a teacher/member of support staff over a period of a year.
Boy	A pupil of the School.
Capability	An employee is capable who at all reasonable times demonstrates that s/he is fit, qualified and able to discharge all the demands made in the course of the work described in her/ his contract of employment. If, in some essential part of that work, a person, for whatever reason, evidently lacks professional or other relevant skills or competences or her/his performance is otherwise unsatisfactory that person is incapable in that respect. Lack of capability is not to be confused with misconduct or other disciplinary issues.

Capacity	This term has the same meaning as “capability”.
Chair of governing body	The person who is the chair of the governing body from time to time or, as the case may be, the governor nominated by the governing body to deputise for her/him.
Clear working day	A weekday other than a Saturday or a Sunday or a public holiday. A period of a stated number of clear working days is calculated from midnight on the day on which the triggering action or event takes place to midnight on the day before the event or action before which the period is expressed to expire e.g. a period of five clear working days after receipt of a notice will be calculated from midnight of the day on which the notice was received to midnight on the last day of the period.
Clerk	The person appointed by the governing body as its clerk who shall also act as the clerk to a Committee or her/his substitute authorised from time to time by the Chair of the governing body for that purpose.
Committee	A committee to whom power is delegated by the governing body to act as a committee for the purposes of these procedures and such a committee shall comprise not less than one nor more than three untainted governors and such other independent persons selected by the Chair of the governing body.
Companion	A person who accompanies the complainant or other party to a procedure and who may be a member of their family or, in the case of an employee, another employee of the School or a full time official employed by a trade union or lay trade union official as long as they have been certified in writing by their union as having experience of or received training in

acting as a worker's companion at hearings or, in a case where a meeting or hearing concerns dismissal, a legal representative. Certification may take the form of an identifying card or letter. The person selected must be unprejudiced and her/his presence must not prejudice a fair hearing.

Competence

The qualifications, skills and personal qualities contractually or otherwise reasonably required to fulfil the demands of the particular task in issue.

Complainant

The person who has made and is pursuing a complaint.

Complaint

An allegation that the School as an organisation or the governing body as a whole or an individual governor or a member of staff or a pupil has behaved in an unacceptable way.

Counselling

For the purposes of these procedures this means any confidential one-to-one discussion for the support and assistance of an employee or other person.

Disabled

A person is disabled under the Equality Act 2010 if they have a physical or mental impairment that has a 'substantial' and 'long term' negative effect on their ability to do normal daily activities. For the purposes of policies, disabled pupils may include pupils with physical, mental or sensory impairments, pupils with learning disabilities and pupils with impairment by long-term or serious illness or condition.

Discrimination

The unjust or prejudicial treatment of different categories of people, especially on the grounds of race, age, or sex.

Discrimination against a Disabled Person	<p>Discrimination occurs if either:</p> <p>a disabled pupil or prospective pupil is treated less favourably, and without justification, for a reason relating to his disability, than someone to whom that reason does not apply; or</p> <p>There is a failure to take reasonable steps to ensure that disabled pupils or prospective pupils are not placed at a substantial disadvantage in comparison with their non-disabled peers without justification.</p>
Delegated powers	<p>Powers to make any specified decision including to decide whether to hold a meeting or hearing or to make substantive or procedural decisions in the course of meetings or hearings expressly delegated to a Committee or its chair or the Headmaster or any other named or designated individual(s) by the governing body either under its constitution or by a decision of the governing body which has been minuted.</p>
Employee	<p>Any employee of the School.</p>
Exceptional case	<p>Where the ground of the complaint or the remedy sought are very significant or unusual or for any other reason require substantial time or resources to investigate or resolve or may seriously jeopardise the reputation of the School or of any individual.</p>
Exceptional case (relating to capability)	<p>Very unsatisfactory performance that places the education of one or more pupils in jeopardy.</p>
Governing body	<p>The body of duly appointed directors and/or trustees and/or governors of the School.</p>
Grievance	<p>Any concern or problem that an employee as such raises in writing with her/his line manager</p>

or the Headmaster or the governing body on any matter relating to the administration or management of the School including a complaint by an employee against a management decision whether made by a line manager, the Headmaster or the governing body.

Gross misconduct

Misconduct so deliberate and serious that it could justify dismissal without previous warnings and without notice.

Guardian

An individual who, by legal appointment or by the effect of a written law, has custody of a pupil.

Headmaster

The teacher appointed or temporarily acting as Headmaster of the School. Where the Headmaster is her or himself the subject of a complaint or object of the relevant procedure the term shall include the chair of the governing body or her/his deputy who will act as substitute for all necessary purposes.

Independent investigator

An independent person appointed by the chair of the governing body to carry out the initial investigation where the Headmaster and/or identified governors are either the subject of complaint, or have been involved in previous discussions relating to it or for some other appropriate reason.

Independent medical examination

For the purposes of capability review, a medical examination by a medical practitioner appointed and provided by the School with all relevant information who has not previously examined the employee whether or not also attended by a medical practitioner appointed by the employee at her/his expense . Such an examination will only take place in order to assess the capability of the employee including

the likely date of a full return to work if at all and the desirability of any change to any duties or responsibilities and/or any reasonable adjustments to facilitate a full return to work and the probability of future absence and/or the underlying causes of past absence(s) and any need for referral or review of the outcome of the examination.

Investigator

The line manager or Headmaster or chair of the governing body or such other person (being either a governor or an independent person) appointed by the chair of the governing body as is appropriate in all the circumstances to investigate and establish the relevant facts.

Line manager

An employee of the School who has delegated responsibility from the governing body under the control of the Headmaster for the day to day management of an identified employee or group of employees. This will normally be a member of the senior leadership team.

Misconduct

An act or omission which is considered by the School to be either improper or otherwise unacceptable in contravention of School policies or rules and/or of professional standards and will be dealt with under the School's disciplinary policy and procedures.

Must

Indicates something which is required by law or formal policy or procedure adopted by decision of the governing body as to which there is no discretion under these procedures.

On duty

A member of staff is on duty when carrying out their contractual obligations or the express instructions of the Headmaster on or off school premises.

On file

A record is on file if put and kept in an

employee's personal file. Employees have access to their file through the Headmaster. Employees do not have access to confidential matters relating to other people or to confidential references which may be on their own file.

Parent	Father or mother of a pupil or as otherwise may be defined by statute, such as through adoption.
Prejudiced	To be potentially biased having previously read about, listened to or taken part in discussion of a relevant matter relating to a person against whom a complaint is made or by being a personal friend or close relative of that employee. An unprejudiced person has no apparent bias arising from any such earlier involvement with the complaint or personal association with the person complained of.
Premature retirement	A valid application through the governing body by an employee who is a teacher aged 55 years or over and has completed the normal qualifying period for early retirement under the Teachers' Pension Services or any other pension scheme in accordance with the scheme rules if any.
Procedures	The procedures authorised by the governing body and to be followed under the relevant School policy.
Pupils	Boys on the current School register.
Records	Documents or other physical records including electronic data and documents setting out facts and other relevant matters.
Redundancy situation	The removal or reduction of a post which may result in dismissal of the employee currently in

post where the governing body has ceased or intends to cease operating the School either in the place where the employee is employed or at all or where the requirements of the School for employees to carry out work of any particular kind have or are expected to cease or diminish for those or similar reasons.

School	The Fulham Boys School.
School day	A day when any member of staff is contractually required to be present including any such day when pupils may not be present.
Should	Indicates something which is generally accepted as good practice and recommended but is not required by law or formal regulation adopted by decision of the governing body.
Teachers Standards	These standards set the minimum requirements for teachers' practice and conduct as set out by the Department for Education.
Unions	Includes both recognised trade unions and professional associations of which the relevant employee(s) is a member at the material time.
Untainted governor	A governor who is unprejudiced in relation to the matter and whose ability to act and decide fairly in it is not impaired by previous direct involvement in that matter or by prior consideration of it by the governing body as such.
Voluntary redundancy/severance	Acceptance by an employee of termination of employment by dismissal in a redundancy situation either on the employee's application or on the invitation of the governing body.