



**LLANDRILLO COLLEGE  
FURTHER EDUCATION CORPORATION**

**TERMS OF REFERENCE OF THE  
SPECIAL COMMITTEE**

**Recommended by the Employment & Safety Committee:**

**6 June, 2006**

**Approved by Corporation Board:**

**28 June, 2006**

# **LLANDRILLO COLLEGE FURTHER EDUCATION CORPORATION**

## **SPECIAL COMMITTEE TERMS OF REFERENCE**

### 1. Status and Authority

- 1.1 The Special Committee shall be convened by the Clerk to the Corporation (unless he/she is the subject of the investigation) at the request of the Chair, or Vice Chair or Corporation under the terms of Article 10(5)-(8) of the Articles of Government, normally within 10 working days.
- 1.2 The Special Committee is authorised by the Corporation to consider the report and recommendations of the Reporting Committee and to seek any information it requires either externally or from any employee of the College, and all employees of the College are directed to co-operate with any request made by the Special Committee. It is also authorised to make findings and determine whether or not to dismiss holders of senior posts/the Clerk to the Corporation.
- 1.3 The Special Committee in pursuit of the above may obtain outside or other professional advice and secure the attendance of outsiders with relevant experience and expertise if it considers this necessary, normally in consultation with the Chair or Vice Chair of the Corporation. It may not, however, incur direct expenditure in this respect in excess of [£1,000 excluding VAT] without the prior approval of the Chair or Vice Chair of the Corporation. If a qualified legal person is to attend the Special Committee, not less than 24 hours prior notice must be given to the holder of the senior post in writing.

### 2. Terms of Reference

- 2.1 The Special Committee shall be responsible for considering the report and recommendations of the Reporting Committee and making findings and determining whether or not to dismiss holders of senior posts/the Clerk to the Corporation (if he or she is also a member of staff). The Special Committee shall not be bound by the recommendations of the Reporting Committee.

### 3. Membership

- 3.1 The Chairman and members of the Special Committee shall be selected by the Chair of the Corporation, or in his/her absence, the Vice Chair.
- 3.2 The Special Committee shall consist of no fewer than three members of the Corporation.
- 3.3 Members of the Reporting Committee, the Chair, Vice Chair, Principal and staff or student members of the Corporation shall not be members of the Special Committee.
- 3.4 The Clerk to the Corporation shall act as Clerk to the Special Committee except where he/she is the subject of the investigation in which case an appropriate alternative person will be appointed by the Chair.

### 4. Special Committee Procedures

- 4.1 The holder of the senior post/the Clerk (as the case may be) shall be given not less than 5 working days' written notice of the date of the Special Committee meeting, the nature of the complaint against him/her and supporting evidence (including but not limited to the report produced by the Reporting Committee) and shall be informed of his/her rights to make oral and written testimony and to be accompanied and

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represented by a representative, friend or colleague. If that person is a qualified legal person, not less than 24 hours' prior notice of this must be given to the Chair of the Corporation in writing.

- 4.2 The Chair of the Corporation, or in his/her absence the Vice Chair, shall arrange for the complaint against the holder of the senior post/the Clerk (as the case may be) to be presented before the Special Committee and/or require other persons to do so.
- 4.3 The Special Committee may require any person to appear or to produce evidence relevant to the case under discussion.
- 4.4 The holder of the senior post/the Clerk (as the case may be) shall have the right to be present for the presentation of all aspects of the case for dismissal and shall have the right to question all testimony or evidence, including cross-examination of any witnesses. The Special Committee may also question any witnesses. The person presenting the case for dismissal shall summarise the case for dismissal.
- 4.5 After the presentation of the case for dismissal, the holder of the senior post/the Clerk (as the case may be) shall have the right to make a statement and/or to call witnesses. All such submissions from the holder of the senior post/the Clerk or from witnesses shall be open to questioning from the person presenting the case for dismissal and the Special Committee. The holder of the senior post/the Clerk shall also have the right to summarise his/her case.
- 4.6 The Special Committee shall retire to determine, in private, whether the case against the holder of the senior post/the Clerk (as the case may be) is proven and if so, determine such action as it considers appropriate, including dismissal. The Special Committee shall confirm its decision in writing to the holder of the senior post/the Clerk within 5 working days and, if applicable, set out the right of appeal against that decision.

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