



## STAFF DISCIPLINE, CONDUCT AND GRIEVANCE POLICY

**This is a whole-school policy, within the framework of which the Junior School and Infant School, plus EYFS, and the Nursery policies operate as appropriate.**

### **Discipline and Conduct**

1. The aims of the School's disciplinary policy are:-
  - To ensure that all employees comply with the School's rules and procedures.
  - To ensure a fair and consistent approach when dealing with disciplinary issues.
  - To bring unsatisfactory conduct or performance to your attention.
  - To resolve problems of conduct or performance and wherever possible to avoid dismissal.
2. The School's disciplinary procedure is used to deal with issues of **misconduct, gross misconduct and incapability** and where issues cannot be dealt with on an informal basis.
3. The School's disciplinary procedure has three clear stages as follows:-
  - **Investigation by the School.** The School will appoint an investigating officer who will carry out such reasonable investigation as is necessary. Your contract of employment will continue whilst the School considers the allegations made against you. It might be necessary to suspend you from your employment during the period of investigation. Suspension will be with pay. If you are suspended, your contract of employment will continue but you will not be allowed to enter the School's premises or contact any of your fellow employees or any of the School's customers/clients without prior permission. You will only be suspended if the allegations made against you are very serious. Where necessary, the School will interview fellow employees who have, or may have, relevant information with a view to obtaining a witness statement. The School will endeavor to complete its investigations as soon as possible.
  - **Disciplinary hearings.** In most cases of misconduct the School will hold a formal disciplinary hearing. This will be held by a disciplinary officer who will be separate and where possible more senior than the investigating officer. You will be invited to the hearing in writing. Before the hearing you will be given details of the allegations made against you and you will be provided with copies of any evidence relevant to those allegations. You have a right to be accompanied at the disciplinary hearing by either a work colleague or trade union representative. At the hearing, you will have an opportunity to respond to the disciplinary allegations, engage in a full and frank discussion about the matter and (if appropriate) to call and question any relevant



witnesses. Once discussions are concluded, the hearing will normally be adjourned to allow a decision to be made. The decision of the disciplining officer will be confirmed to you in writing as soon as possible following the disciplinary hearing.

- **Appeals.** You have the right to appeal after any form of disciplinary action has been taken (these are listed in 1.5). You can exercise your right to appeal by writing to the person named in the letter confirming the outcome of the disciplinary hearing within 5 working days of receiving written notification of the disciplinary sanction. Your letter should state the grounds upon which you are lodging your appeal. Upon receipt of your letter of appeal, the School will arrange an appeal hearing and appoint an appeal officer, who will be separate and where possible more senior than the disciplinary officer. You will be invited to the hearing in writing, and you will be notified of your right to be accompanied by a work colleague or trade union representative. At the hearing, you will have the opportunity to discuss your appeal and the reasons for it. Once discussions are concluded, the appeal hearing will normally be adjourned to allow the appeal officer to reach a decision. If your appeal is against dismissal, the dismissal will stand unless or until the appeal officer decides otherwise. The decision of the appeal officer will be notified to you in writing and will be final and binding.

4. At all stages of the disciplinary procedure you will:-

- Be given the opportunity to reply to all and any allegations made against you before any decision or disciplinary action is taken.
- Have the opportunity to be accompanied by a work colleague or trade union representative.
- Have the most appropriate level of management hear any disciplinary matter or appeal. Where the manager in question was directly involved in the issues in dispute or under review, an alternative person with appropriate seniority will deal with the matter.

5. Disciplinary action may take one of the following forms:-

- **Oral Warning** recorded within your personnel file.
- **Written Warning** one copy of which will be retained by you and one enclosed within your personnel file.
- **Final Written Warning** advising you that a further offence or continued shortcoming will render you liable to dismissal. One copy of this will be retained by you and one enclosed within your personnel file.
- **Dismissal** with or without notice.



If appropriate the School might give consideration to enforcing some other disciplinary sanction such as suspension without pay, demotion, transfer to some other place or type of work or loss of privileges.

6. The School will endeavour to communicate all warnings in a clear and unambiguous manner. All warnings lapse following the expiry of the period specified by the disciplinary or appeal officer at the time of issuing the warning. If no period is specified the default period is 6 months in relation to an oral warning, 12 months in relation to a written warning and 24 months in relation to a final written warning.
7. The following acts are examples of Gross Misconduct and as such may render employees liable to Summary Dismissal (i.e. dismissal without notice). This list is not exhaustive:
  - a. Theft;
  - b. Falsification of reports, accounts, expense claims, time recording, self-certification forms or any other School document;
  - c. Refusal to carry out duties or reasonable management instructions;
  - d. Serious insubordination or the use of aggressive behaviour or intimidatory conduct or excessive bad language on the School's or client's or customer's premises;
  - e. Serious incapability or the potential for serious incapability whilst on duty brought on by alcohol or illegal drugs;
  - f. Serious negligence which causes or might cause unacceptable loss, damage or injury;
  - g. Serious breach or repeated breaches after warning or any material persistent breach of this Agreement or the School's rules;
  - h. Unauthorised possession or disposal of or wilful damage to the School's property or that of clients, customers or other employees;
  - i. Any serious breach of the School's rules and policies;
  - j. Fighting, physical assault, dangerous horseplay, actual or threatened violence including bullying;
  - k. Abuse of confidential information or its release to unauthorised persons or any breach of the duty of confidentiality save for any disclosure or whistleblowing under the Public Interest Disclosure Act 1998;
  - l. Loss of your driving licence when you are required to use a vehicle as an essential part of your duties;



- m. A criminal conviction;
- n. Fraud or any other offence committed against the School which would breach a law of the land;
- o. Wilful failure to carry out a reasonable direct instruction given by the Head teacher or immediate supervisor;
- p. Any action or omission which would bring the School into serious disrepute whether during or outside of your normal working hours;
- q. Discrimination (including harassment) on grounds of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex or sexual orientation or any other act which fundamentally breaches the dignity of people at work;
- r. Any behaviour which constitutes or may constitute an act of bribery; and
- s. Any other matter which in the reasonable opinion of the School constitutes gross misconduct.

## Grievance

1. The School believes that grievances should be settled as quickly as possible and where possible will encourage line managers to be proactive in asking how employees perceive various workplace issues. If you have a grievance, it is suggested that you first raise it informally with your line manager. Every effort will be made to resolve your grievance at this stage. Your line manager will endeavour to deal with your grievance within 5 working days.
2. If you are not satisfied with the outcome or if you wish to make a formal grievance then you should raise the matter in writing to your line manager. In the event that your grievance is against your line manager, your complaint should be addressed to a member of the Senior Management Team (SMT). In the case of a complaint against a member of the SMT, the matter must be brought to the Head and in the event that the grievance is against the Head then to the Chair of Governors.
3. The grievance procedure will not be invoked unless you raise your grievance in accordance with the requirements above.
4. The School's formal grievance procedure has three clear stages as follows:-
  - **Investigation by the School.** The School will carry out such reasonable investigation as necessary so that it can properly deal with your grievance.
  - **Grievance hearing.** The School will hold a grievance hearing, at which it will carefully consider those complaints made by you. You will be invited to the grievance hearing in writing and you will have the right to be



accompanied by a work colleague or trade union representative. At the hearing, which will be conducted on an impartial basis, you will have an opportunity to state your case and question any witnesses. Once discussions are concluded, the hearing will be adjourned to allow any further investigations to take place (if necessary) and to allow a decision to be made in relation to your grievance. The decision of the investigating officer will be confirmed in writing to you.

- **Appeals.** You have the right to appeal if you are not satisfied with the outcome of the grievance hearing. You should appeal by writing to the person specified in the letter confirming the outcome of the grievance hearing within 5 working days of being notified of the outcome. Your letter should clearly state the grounds upon which you are lodging your appeal. A further hearing will then be arranged in order to consider your appeal. You will have the right to be accompanied at the appeal hearing by a trade union representative or work colleague. Once the appeal hearing has been concluded, it will be adjourned to allow a decision to be made. The decision of the appeal officer will be notified to you in writing and will be final and binding.

5. At all stages of the grievance procedure you will:-

- Be given the opportunity to respond to all information and evidence produced by the School.
- Have the opportunity to be accompanied by a work colleague or trade union representative.
- Have the most appropriate level of management deal with the hearing or appeal and where the manager in question was directly involved in the issues in dispute or under review, an alternative person with appropriate seniority will deal with the matter.

Reviewed:

June 2016

Approved by Board of Governors:

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