

Signhills Academy

Disciplinary Policy



Approved by:

Personnel

Date: Spring 2026

Next review due by:

Spring 2027

DISCIPLINARY POLICY

1. ABOUT THIS PROCEDURE

- 1.1 The aim of this Disciplinary Procedure is to provide a framework within which managers can work with employees to maintain satisfactory standards of conduct and to encourage improvement where necessary.
- 1.2 It is our policy to ensure that any disciplinary matter is dealt with fairly, that steps are taken to establish the facts and that employees are given the opportunity to respond before taking any formal action.
- 1.3 The procedure applies to all employees and does not apply to agency workers or self-employed contractors.
- 1.4 This procedure is used to deal with misconduct. It does not apply to cases involving genuine sickness absence, proposed redundancies or poor performance. In those cases, reference should be made to the appropriate policy or procedure.
- 1.5 This procedure does not form part of any employee's contract of employment and it may be amended at any time. We may also vary this procedure, including any time limits, as appropriate in any case.
- 1.6 If you have difficulty at any stage of the procedure because of a disability, you should discuss the situation with your line manager as soon as possible.

2. MINOR CONDUCT ISSUES

Minor conduct issues can often be resolved informally between you and your line manager. These discussions should be held in private and without undue delay whenever there is cause for concern. Where appropriate, a note of any such informal discussions may be placed on your personnel file but will be ignored for the purposes of any future disciplinary hearings. In some cases, an informal verbal warning may be given, which will not form part of your disciplinary records. Formal steps will be taken under this procedure if the matter is not resolved, or if informal discussion is not appropriate (for example, because of the seriousness of the allegation).

3. CONFIDENTIALITY

- 3.1 Our aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.
- 3.2 You will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against you, unless we believe that a witness's identity should remain confidential.
- 3.3 You, and anyone accompanying you (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.

4. INVESTIGATIONS

- 4.1 The purpose of an investigation is for us to establish a fair and balanced view of the facts relating to any allegations against you, before deciding whether to proceed with a disciplinary hearing.
- 4.2 The amount of investigation required will vary from case to case and depend on the nature of the allegations. It may involve interviewing and taking statements from you and witnesses, and/or reviewing relevant documents.
- 4.3 The investigation will usually be undertaken by a Deputy Head or other senior member of staff.
- 4.4 Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.
- 4.5 You do not normally have the right to bring a companion to an investigative interview. However, we may allow you to bring a companion if it helps you to overcome any disability, or any difficulty in understanding English.
- 4.6 You must co-operate fully and promptly in any investigation. This will include informing us of the names of any relevant witnesses, disclosing any relevant documents to us and attending investigative interviews if required.

5. CRIMINAL ALLEGATIONS

- 5.1 A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment. In these circumstances, we will investigate the facts before deciding whether to take disciplinary action.
- 5.2 We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where you are unable or have been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.

6. CHILD PROTECTION ISSUES

- 6.1 Where an allegation against a member of staff relates to the sexual, physical or other abuse of a child the procedures within the LSCB will be followed and the matter should be discussed as soon as possible with the Local Authority Designated Officer (LADO).
- 6.2 No action will be taken until the LADO has offered advice. The LADO will liaise with the School to determine the necessity for a strategy meeting. If a strategy meeting is deemed necessary, it will be convened with the Headmaster or Chair of Governors present.

7. SUSPENSION

- 7.1 In some circumstances we may need to suspend you from work. The suspension will be for no longer than is necessary to investigate any allegations of misconduct against you or so long as is otherwise reasonable while any disciplinary procedure against you is outstanding. We will confirm the arrangements to you in writing. While suspended you should not visit our premises or contact any of our contractors or staff, unless you have been authorised to do so by the Head.
- 7.2 Suspension of this kind is not a disciplinary penalty and does not imply that any decision has already been made about the allegations. You will continue to receive your full basic salary and benefits during the period of suspension.

8. NOTIFICATION OF A HEARING

- 8.1 Following any investigation, if we consider there are grounds for disciplinary action, you will be required to attend a disciplinary hearing. We will inform you in writing of the allegations against you, the basis for those allegations, and what the likely range of consequences will be if we decide after the hearing that the allegations are true.
- 8.2 We will also include where appropriate copies of any relevant documents and witness statements which will be used at the disciplinary hearing.
- 8.3 We will give you written notice of the date, time and place of the disciplinary hearing. The hearing will be held as soon as reasonably practicable, but you will be given a reasonable amount of time to prepare your case.

9. THE RIGHT TO BE ACCOMPANIED

- 9.1 You may bring a companion to any disciplinary hearing or appeal hearing under this procedure. The companion may be either a trade union representative or a colleague. You must tell the meeting chair who your chosen companion is, in good time before the hearing.
- 9.2 A companion is allowed reasonable time off from duties without loss of pay to attend the hearing, but no-one is obliged to act as a companion if they do not wish to do so.
- 9.3 If your companion is unavailable at the time a meeting is scheduled and will not be available for more than five working days afterwards, we may ask you to choose someone else.
- 9.4 We may, at our discretion, allow you to bring a companion who is not a colleague or union representative (for example, a member of your family) if this will help overcome a disability, or if you have difficulty understanding English.

10. PROCEDURE AT DISCIPLINARY HEARINGS

- 10.1 If you or your companion cannot attend the hearing you should inform us immediately and we will arrange an alternative time. You must make every effort to attend the hearing, and failure to attend without good reason may be treated as misconduct in itself. A decision based on the available evidence may have to be taken in your absence should you fail to attend without good reason.
- 10.2 The hearing will be chaired by the Headteacher (or Governor if the allegations relate to the Head) who will go through the allegations against you and the evidence that has been gathered. You will

be able to respond and present any evidence of your own. Your companion may make representations to us and ask questions but should not answer questions on your behalf. You may confer privately with your companion at any time during the hearing.

- 10.3 You may ask relevant witnesses to appear at the hearing, provided you give us sufficient advance notice to arrange their attendance. You will be given the opportunity to respond to any information given by a witness.
- 10.4 We may adjourn the disciplinary hearing if we need to carry out any further investigations such as re-interviewing witnesses in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 10.5 We will inform you in writing of our decision and our reasons for it, usually within 5 working days of the disciplinary hearing.

11. DISCIPLINARY OUTCOMES

- 11.1 The usual penalties for misconduct are set out below. No penalty should be imposed without a hearing. We aim to treat all employees fairly and consistently, and a penalty imposed on another employee for similar misconduct will usually be taken into account but should not be treated as a precedent. Each case will be assessed on its own merits.

- 11.1.1 **No further Action:** where it is considered there is no case to answer based on the available evidence.
- 11.1.2 **First written warning:** A first written warning will usually be appropriate for a first act of misconduct where there are no other active written warnings on your disciplinary record and the matter is not sufficiently serious to warrant anything further.
- 11.1.3 **Final written warning:** A final written will usually be appropriate for misconduct where there is already an active written warning on your record, or an act of misconduct that we consider sufficiently serious to warrant a final written warning.
- 11.1.4 **Dismissal.** Dismissal will usually only be appropriate for further misconduct where there is an active final written warning on your record, or any act of gross misconduct. Gross misconduct will usually result in immediate dismissal without notice or payment in lieu of notice (summary dismissal).

Examples of gross misconduct include (but are not limited to) theft, fraud, malicious damage to the school's or another employees property, physical assault at work, breach of major safety rules, disclosure of confidential information, influence of drink or illegal drugs, racial or sexual or personal harassment and gross insubordination.

- 11.2 In some cases we may at our discretion consider alternatives to dismissal (which will usually be accompanied by a final written warning). Examples include (but are not limited to) demotion, transfer to another department or job, or a reduction in pay.

12. THE EFFECT OF A WARNING

- 12.1 Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.
- 12.2 A first written warning will usually remain active for six months and a final written warning will usually remain active for 12 months. Your conduct may be reviewed at the end of a warning's active period and if it has not improved sufficiently we may decide to extend the active period.
- 12.3 After the active period, the warning will remain permanently on your personnel file but will be disregarded in deciding the outcome of future disciplinary proceedings.

13. APPEALS

- 13.1 If you feel that disciplinary action taken against you is wrong or unjust you should appeal in writing, stating your full grounds of appeal, to the Headteacher, within 10 working days of the date on which you were informed of the decision.
- 13.2 If you are appealing against dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if your appeal is successful you will be reinstated with no loss of continuity or pay.

- 13.3 If you raise any new matters in your appeal, we may need to carry out further investigation. If any new information comes to light we will provide you with a summary including, where appropriate, copies of additional relevant documents and witness statements. You will have a reasonable opportunity to consider this information before the hearing.
- 13.4 We will give you written notice of the date, time and place of the appeal hearing.
- 13.5 The appeal hearing may be a complete re-hearing of the matter or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will be at our discretion depending on the circumstances of your case.
- 13.6 Where possible, the appeal hearing will be conducted impartially by a Governor.
- 13.7 We may adjourn the appeal hearing if we need to carry out any further investigations in the light of any new points you have raised at the hearing. You will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.
- 13.8 Following the appeal hearing we may:
- 13.8.1 confirm the original decision;
 - 13.8.2 revoke the original decision; or
 - 13.8.3 substitute a different penalty.
- 13.9 We will inform you in writing of our final decision as soon as possible, usually within 5 working days of the appeal hearing. Where possible we will also explain this to you in person. There will be no further right of appeal.