



HOLTON SLEAFORD

— INDEPENDENT SCHOOL —

Staff Discipline Policy & Procedure

If staff conduct and discipline falls below normal or acceptable standards, as detailed in the Code of Conduct (see Appendix A), then the provisions of the Holton Sleaford Independent School (HSIS) Staff Discipline Policy will apply.

The following are exceptions:

- Where conduct concerns an allegation against a member of staff relating to children or young people, or vulnerable adults, the guidance for Safeguarding will take precedence.
- Where problems are identified as having arisen due to lack of capability, they will be addressed through extra supervision, support and training.

Roles and Responsibilities

The Proprietor and Executive Headteacher are responsible for the overall management of standards of conduct within the school and have authority to take action under this procedure. Other senior staff may be given authority by the Proprietor to give formal warnings.

Purpose of this Policy and Procedure

- To maintain the high standards of the Staff Code of Conduct and to encourage where these are not met.
- Where appropriate to address conduct issues without recourse to the formal stages of the disciplinary procedure.
- To ensure that employees facing disciplinary action under the formal procedure are treated fairly and consistently.
- Not to discriminate against any individual in the application of this policy and procedure on prohibited grounds i.e. on grounds of sex, race, disability, age, sexual orientation, trans-gender or religious belief.

Informal Action

In the course of normal day-to-day management it is anticipated that the employee will be advised of any conduct issues by SLT and counselled about how to correct these issues. This process will generally be regarded as the first step in addressing conduct issues and represents informal action outside of the school's formal Discipline Policy & Procedure. Informal action is appropriate for low-level misconduct, which is capable of early correction. Where informal action fails to bring about a solution, further misconduct is likely to be considered within the formal stages of the school's Staff Discipline Policy & Procedure and the employee shall be warned of this.

Misconduct

In general, no compliance with the 'Staff Code of Conduct', or the 'Expectations of Staff' (see Appendix B) outlined in the 'Staff Handbook', would be considered low-level misconduct, which in all likelihood could result in formal action.

Serious Misconduct

In general the following types of offences are deemed to constitute serious misconduct and are likely to lead to dismissal without notice, or pay in lieu of notice. The list is not exhaustive and is intended to give only an indication of the nature and type of offence, which will warrant dismissal without notice or pay in lieu of notice:

- Serious acts of insubordination.
- Gross negligence in the performance of duties.
- Theft from the school, its employees or members of the public or other acts of dishonesty.
- Serious breach of duty regarding non-disclosure of confidential information.
- Serious breach of duty regarding disclosure of confidential information.
- Serious breach of safe working practices and health and safety rules which endangers the health and safety of the individual, other employees or members of the public and/or exposes the School to claims against it.
- Serious breach or failure to provide safe working environment for children and young people.
- Taking drugs on School premises for other than medical reasons.
- Buying, selling or offering drugs on School premises.
- Offering alcohol to students.
- Fraud.
- Falsification of information, for example, qualifications or other relevant personal details in seeking and obtaining employment or promotion; information contained in time sheets, overtime claims, invoices, accounts, records or medical certificates.
- Fighting.
- Violent, offensive, abusive or indecent behaviour.
- Bullying.
- Unlawful acts of discrimination within the workplace on the grounds of race, sex, sexual orientation, age, disability or religious belief.
- Harassment including discriminatory harassment, for example sexual harassment.

- Unauthorised removal of and/or serious misuse of and/or deliberate damage to HSIS property and equipment including misuse of email or internet facilities.
- Sexual misconduct at work.
- Aiding and abetting any of the above.
- Other actions which fundamentally breach the relationship of trust and confidence which exists between employer and employee.
- Criminal offences and cautions outside of work, including reprimands, final warnings or penalty notices.

Formal Stages of the Disciplinary Procedure and Disciplinary Sanctions

The formal stages of the Disciplinary Procedure are based upon a graduated system of warnings with more serious sanctions being applied where poor conduct is repeated or the employee fails to heed previous warnings. The stages are listed below. The seriousness of the offence may result in stages in the process being missed out. An employee will not normally be dismissed for a first breach of discipline. However, in cases of serious misconduct an employee may be dismissed without having had any prior formal warnings as to their behaviour/conduct:

Stage 1 - Verbal Warning.

Stage 2 - First Written Warning.

Stage 3 - Second Written Warning.

Stage 4 - Final Written Warning.

Stage 5 - Dismissal.

Any warning applied is regarded as live and kept on the employee's personal file. Where the same type of misconduct becomes a pattern, which is repeated every time a warning ceases to be live, previous warnings may be taken into account. Where the sanction is dismissal this may either be dismissal with notice or in cases of serious misconduct dismissal without notice or pay in lieu of notice.

Suspension

An employee may be suspended from duty on full pay at any time in any of the circumstances described below:

- Where the school has grounds to suspect that the employee is guilty of serious misconduct
- Where there is a real risk that the employee's continued presence at their place of work may interfere with a disciplinary investigation being undertaken
- Where the continued presence of the employee at their place or work might be detrimental to their health
- Any combination of the above
- Where suspension relates to a safeguarding allegation, the safeguarding policy must take precedence over this policy and procedure

Investigations

Where an investigation takes place, HSIS will aim to conduct it promptly and without unnecessary delay. However, the nature, scale and duration of any disciplinary investigation will depend on the seriousness and complexity of the misconduct being investigated. Investigations relating to safeguarding allegations must be made with reference to the Safeguarding Policy.

The Executive Headteacher or School Support and Development Director as the Investigator will:

- Ascertain the facts and circumstances surrounding the allegation(s) of misconduct.
- Ascertain the employee's initial response to the allegation.
- Form a view as to whether there is a case to answer at a formal disciplinary hearing.

The employee will be required to attend an investigatory interview. The employee has the right to be accompanied by a work colleague and/or Union Representative. At the conclusion of the investigation, the Investigator will form a view as to whether or not there is a case to answer at a formal disciplinary hearing.

Notification to Attend a Disciplinary Hearing

Where a formal disciplinary hearing is to take place, the employee will receive written notification from the Executive Headteacher or Proprietor at least five working days in advance. The letter will advise the employee of the following:

- The location, date and time of the proposed disciplinary hearing.
- Details of the disciplinary allegations which the employee is to face.
- Whether dismissal is being contemplated as a sanction.
- Their right to be accompanied.
- The requirement for the employee to confirm in writing that they are attending, at least 3 working days before the disciplinary hearing, providing all relevant documentation and confirming the names of their employee representative and any witnesses that are likely to be called.

The employee is under a duty to take all reasonable steps to attend the hearing. The disciplinary hearing may proceed in the employee's absence but only when all of the following conditions are met:

- The employee has either failed to attend two disciplinary hearings (or failed to respond to two previous notifications to attend a disciplinary hearing).
- The employee is on notice that the disciplinary hearing may proceed in their absence.
- The employee has been informed of the opportunity to provide a written statement setting out their defence to the allegations.
- The employee has not been certified as unfit by a doctor to attend the disciplinary hearing.

Grievances

Where, during the course of the disciplinary process the employee raises a grievance about any aspect of the disciplinary process, the employee's grievance will be dealt with as part of the disciplinary hearing and will not be treated as a separate grievance under the Complaints Policy.

Confirmation Hearing Outcome

Whether or not the employee has been informed of the outcome of the disciplinary hearing verbally at its conclusion, the employee will be notified of the outcome of the disciplinary hearing in writing. Written notification will normally be within 5 working days of the date of the hearing and will include:

- The reasons for upholding any allegation of misconduct.
- The details of any disciplinary sanction applied.
- If the disciplinary sanction is by way of warning, the nature and type of the warning.
- A warning as to the consequence of further offences of a similar or different nature.
- Any specific requirements for future conduct.
- Any specific requirements in respect of training to be undertaken.
- If the disciplinary sanction is dismissal, the reason(s) for dismissal.
- Any right of Appeal

Right of Appeal

An employee may appeal against a decision to issue them with any level of disciplinary sanction, i.e. Verbal warning, first written warning, second written warning, final written warning or dismissal. An employee seeking to appeal must do so within 10 working days' of written notification of the decision. The employee should send their letter of appeal together with the grounds of appeal to the Proprietor. Once an appeal has been received in writing, an appeal hearing will normally be convened promptly, allowing at least 10 working days written notice of the hearing. The Proprietor's decision will be final.

Written by...	<u>Dan Laughton</u>	<u>15/11/25</u>
Approved by...	<u>Mike Whatton</u>	<u>15/11/25</u>
Signed...		
Date sent to Governors		<u>Due for Review</u>
Date approved by Governors		<u>14/11/26</u>