

# Keswick



# School

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## DISCIPLINE AND DISMISSAL (KSMAT/STAT/011)

<b>Committee Responsible:</b>	Directors Keswick School Multi Academy Trust
<b>Lead Officer:</b>	Executive Principal Keswick School Multi Academy Trust
<b>Date of Review:</b>	March 2023
<b>Date to be Reviewed:</b>	March 2026
<b>Signed:</b>	
<b>Date:</b>	

# DISCIPLINE AND DISMISSAL

## REVIEW SHEET

The information in the table below details earlier versions of this document with a brief description of each review and how to distinguish amendments made since the previous version date (if any).

Version Number	Version Description	Date of Revision
1	Original	November 2012
2	Policy Review	April 2015
3	Policy Review	June 2017
4	Recent case law – impact of High Court decision in Agoreyo v London Borough of Lambeth	March 2018
5	Policy Review – no changes	December 2020
6	Policy Review – addition to point 6.9	March 2023

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# DISCIPLINE AND DISMISSAL

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# DISCIPLINE AND DISMISSAL

## 1.0 INTRODUCTION

- 1.1 The School Staffing (England) Regulations 2003 places disciplinary responsibility on the Board of Directors for establishing disciplinary rules and procedures and taking appropriate steps to make them known to Keswick School MAT employees.
- 1.2 The control of all matters of discipline relating to staff employed in MAT schools is set out in the MAT scheme of delegation.
- 1.3 This procedure is designed to help employees achieve and maintain standards of conduct and attendance when these have been judged to be unsatisfactory. It is not intended to penalise employees but to enable them to meet objectives and to ensure consistent and fair treatment. This procedure complies with the ACAS Code of Practice on Disciplinary and Grievance Procedures.
- 1.4 In order to ensure that fair and effective arrangements exist for dealing with disciplinary matters, this procedure provides for a full and speedy consideration of all the relevant facts in order that disciplinary action can be applied equitably and without undue delay.
- 1.5 Disciplinary rules and procedures are necessary:
- i) For promoting fairness and order in the treatment of individuals
  - ii) To set standards of conduct at work and to assist the effective operation of MAT schools.
  - iii) To ensure that employees know what standards are expected of them; and
  - iv) To provide a fair method of dealing with alleged failures to observe the rules as outlined in the Code of Conduct (KSMAT/STAT/039).
- 1.6 The procedures outline in this policy can also be important in disputes about the fairness or otherwise of any decision to dismiss staff on grounds of conduct, and in responding to a complaint to an Employment Tribunal.

## 2.0 SCOPE AND PURPOSE

- 2.1 Minor breaches of rules and standards will be dealt with informally by line managers as part of their responsibility to establish and maintain standards of conduct and performance. If in doubt as to what constitutes a minor breach, a member of the Senior Leadership Team (SLT) must be consulted.
- 2.2 Where the matter is more serious, or the employee's conduct continues to be unacceptable, despite the line manager's informal intervention, this disciplinary procedure will be used.
- 2.3 Below is a list of circumstances in which the disciplinary procedure does not apply and the appropriate policy and procedure will be used:

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Situation	Procedure to be used
Health problems	Sickness Absence Policy (KS/PER/014)
Lack of skills/unacceptable performance	Capability Policy (KSMAT/STAT/030)
Employee's fixed term contract is due to end	Dismissal for Staff with less than 2 years Service (KS/PER/036)

- 2.4 This procedure applies to all MAT employees for whom there is no other specific disciplinary procedure laid down in national or local conditions of service, or where contractual conditions specify this procedure.
- 2.5 Disciplinary rules relate to professional standards of conduct. In drawing up a Code of Conduct, employers are advised by ACAS that they should have regard to what is necessary for the safe and efficient performance of work and what is needed to maintain good working relationships.
- 2.6 Below is a non-exhaustive list of disciplinary rules, breaches of which may lead to the disciplinary procedure being used:
- i) Breaches of the Code of Conduct (KSMAT/STAT/039)
  - ii) Disciplinary rules relating to misconduct or gross misconduct include: discriminatory acts, bullying and harassment, theft, financial irregularities, sexual offences (including Child Protection matters), physical assault, alcohol or drug offences, malicious damage, soliciting or accepting bribes, dishonesty, improper use of one's position for personal gain, negligence, failing to comply with safety codes such as to endanger life or cause serious injury, failing to observe standard procedures (e.g. sickness reporting, financial regulations) as laid down by the MAT. This is not an exhaustive list.
  - iii) Disciplinary rules or standards of conduct include: expected standards of timekeeping, attendance and job performance (as set out in contracts, statute [e.g. School Teachers Pay and Conditions Documents], job descriptions or person specifications).
  - iv) Specific rules and standards as outlined in Appendix 2.
  - v) Any offence, or incident, committed that is in breach of the disciplinary rules or legislation, should be investigated before disciplinary action is taken. This may include offences committed outside work.
  - vi) Any action, including the above list which may render the employee unsuitable for continued employment.
- 2.7 All employees are made aware of the consequences of any breach in disciplinary rules or professional conduct and the type of conduct which may warrant summary dismissal.
- 2.8 Issues of misconduct or gross-misconduct will usually arise from a complaint or incident which warrants investigation before formal disciplinary action is taken.
- 2.9 All matters of staff discipline are governed by strict confidentiality. This is especially important in the early stages of an investigation when it may not be clear that allegations made are accurate.
- 2.10 Disciplinary action will only be taken after a full investigation of any complaint, unless the allegations are admitted by the employee and no further investigation is deemed necessary.
- 2.11 An employee who is determined by the Secretary of State for Education to be unsuitable for employment in a school, on the grounds of misconduct or criminal conviction, shall be liable for

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immediate dismissal. Such an employee will be dismissed unless in the course of an interview (which shall precede any such dismissal) good cause is shown as to why this course of action should not be adopted.

### **3.0 ROLES AND RESPONSIBILITY**

- 3.1 MAT Head teachers are responsible for the internal organisation, management and discipline in their school as indicated in the Keswick School MAT Scheme of Delegation.
- 3.2 If a MAT Head teacher believes that there has been a breach of disciplinary rules (paragraph 2.6) advice will be sought from Keswick School's HR Manager. The employee concerned will be provided with a copy of the Disciplinary and Dismissal Policy (KSMAT/STAT/011).
- 3.3 If a possible outcome is dismissal due to the nature of the breach of disciplinary rules, the MAT Head teacher will also consult the Chair of the LGB and the Executive Principal.
- 3.4 Any incident involving theft, fraud, corruption or other financial irregularity will be immediately reported to the police, the Executive Principal and the Chair of Directors.
- 3.5 Any complaint involving suspected child sexual, physical or emotional abuse will be immediately reported to the MAT school designated safeguarding lead (DSL) and the Executive Principal and the appropriate safeguarding procedure will be followed.
- 3.6 If the employee concerned is an accredited representative or official of a trade union, the case will be discussed with a branch or regional officer of that trade union before any steps are taken, where it is reasonable to do so.
- 3.7 If the employee concerned is a MAT school Head teacher the disciplinary investigation will be undertaken by the Executive Principal, or an independent Investigating Officer. The disciplinary hearing will then be conducted by a panel of MAT Directors.
- 3.8 If the employee concerned is the Executive Principal the disciplinary investigation will be undertaken by an independent Investigating Officer appointed for this purpose by the Chair of Directors. The disciplinary hearing will then be conducted by a panel of MAT Directors.

### **4.0 SUSPENSION OF STAFF**

- 4.1 An employee may be suspended on full contractual pay whilst an investigation is being conducted and for the duration of the disciplinary procedure, if deemed necessary, in the following circumstances:
  - i) Where the employee's continued presence at work could put them, other people (including pupils) or the MAT school's property at risk;
  - ii) Where there is no acceptable alternative to suspension, e.g. removal from normal duties, imposition of restrictions to avoid future risk and without such the Investigating Officer believes the investigation could be compromised;
  - iii) Where the allegations/complaint, if proven, are likely to be viewed as gross misconduct and it is likely that the employee will be dismissed.

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- 4.2 The employee will be notified that an allegation has been made and that suspension, without detriment to pay, is being considered.
- 4.3 The employee will be given as much information as possible about the allegation. (In cases where the police are involved or may become involved there may be restrictions on what can be disclosed).
- 4.4 Where possible the employee will be given the opportunity to describe their version of events prior to a suspension decision (this may not always be possible).
- 4.5 A risk assessment may also be undertaken to inform complex suspension decisions and this may require the employee concerning undertaking special paid leave away from work to ensure that the decision to suspend is considered properly.
- 4.6 In potentially less severe cases temporary redeployment to other duties may be considered as an alternative to suspension.
- 4.7 Where it is decided to suspend an employee pending further investigation, a meeting to inform the employee will be arranged to explain that suspension is a precautionary measure and does not imply any indication of blame.
- 4.8 An employee who is suspended should:
- i) Be allowed to collect their personal possessions;
  - ii) Hand over keys or other essential school property to the Head teacher or nominated person;
  - iii) Be told not to enter MAT premises without prior permission from the Head teacher;
  - iv) Be told that they may be called back for interview as part of the investigation and must be available to be called in at any time during working hours;
  - v) Be told not to contact pupils, colleagues or members of the LGB as this may prejudice any future hearing;
  - vi) Advised that contact with colleagues, e.g. in relation to preparing a response to allegations, should be arranged via the Head teacher or their trade union representative;
  - vii) Seek to agree with the Head teacher what colleagues and/or parents will be told;
  - viii) Be told that the suspension will be confirmed in writing within 2 working days.
- 4.9 A letter will be issued within two working days of an employee being suspended, confirming:
- i) The decision to suspend;
  - ii) Why the decision was taken;
  - iii) The date of effect;
  - iv) The fact that there will be no loss of pay during the period of suspension;
  - v) That, where appropriate, a disciplinary hearing will be set up at the earliest possible opportunity and that the allegations, if upheld, may lead to their dismissal;
  - vi) That any documents relevant to the allegation which are available at the time will also be provided.
- 4.10 The period of suspension will be as brief as is reasonably possible, reviewed regularly and the disciplinary investigation will commence as soon as is practicable.
- 4.11 Where the employee has been suspended and the disciplinary investigation reveals that there is no case to answer, or that the nature of the breach of conduct warranted action on the grounds

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of misconduct as opposed to gross misconduct, the employee will be reinstated before or without recourse to a disciplinary hearing.

## 5.0 DISCIPLINARY INVESTIGATION

- 5.1 Where it is believed that there is sufficient substance in an allegation to warrant a disciplinary investigation, but it does not warrant an urgent consideration of suspension, the employee will be informed within ten working days of receipt of the complaint.
- 5.2 Disciplinary investigations will be undertaken by a member of the MAT school's Senior Leadership Team (SLT), MAT school Head teacher, Executive Principal or an independent Investigating Officer (independent to the situation).
- 5.3 Disciplinary investigations must be thorough, comprehensive and unbiased. It will be made clear that interviews with the named employee are not part of a formal disciplinary hearing.
- 5.4 In a disciplinary investigation the following steps will be taken:
- i) In cases of a complaint consideration will be given to whether a local resolution is possible (e.g. it might simply be that an explanation or an apology is required).
  - ii) The complainant must be informed that a copy of the complaint will be made available to the named employee.
  - iii) The named employee will be provided with details/documents of the complaint as soon as possible after the complaint is made.
  - iv) The named employee will be given an initial opportunity to put forward any matters that may assist the Investigating Officer in identifying witnesses or identifying and retrieving other evidence such as documents.
  - v) The named employee will then have five working days to prepare a full submission for the investigation.
  - vi) The Investigating Officer will interview the complainant, any witnesses and obtain written statements which should be signed and dated.
  - vii) The Investigating Officer will interview the named employee once all relevant information concerning the allegation has been obtained. (In child protection cases the Local Authority Designated Officer (LADO) will liaise with the Police and may advise that the interview should not go ahead).
- 5.5 The Investigating Officer must prepare a report which is clear and contains a summary of their findings based on the facts and detailing any evidence to indicate whether or not the alleged misconduct may have occurred.
- 5.6 Keswick School MAT employees are required to co-operate with disciplinary investigations and any subsequent hearings. Employees therefore have a duty to:
- i) Meet with the Investigating Officer;
  - ii) Put forward their own account and explanation;
  - iii) Answer the Investigating Officer's questions.
- 5.7 Failure to co-operate fully may, depending upon the reasons for non co-operation, be considered as 'misconduct' as such action may prejudice a reasonable and proper disciplinary investigation.

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5.8 If, following a disciplinary investigation, no substance to the complaint is found, or the complaint or allegation is deemed to be unfounded, a letter stating this should be sent to all parties concerned within three working days of that decision being made.

## **6.0 DISCIPLINARY HEARING**

6.1 If a complaint or incident arises which results in an immediate suspension, or which is deemed, without further investigation, to be of a serious nature or, following a disciplinary investigation is deemed to be of a serious nature, the employee will be required to attend a disciplinary hearing.

6.2 The disciplinary hearing will be set up for the earliest convenient date and will take place during an employee's normal working hours whenever possible.

6.3 The employee will be given at least 5 working days' notice of the hearing and advised of the entitlement to be accompanied by a single companion who is either a trade union representative or a workplace colleague. The letter giving such notice will include:

- i) The date, time and place of the hearing;
- ii) Set out the allegations in detail, including details of dates, places, times etc., relevant to the allegations, attaching all relevant documents supporting the allegations;
- iii) Give the name of the person(s) hearing the case, presenting the allegations, and any witnesses to be called in person;
- iv) State the consequences of being found blameworthy, including possible dismissal in cases of gross misconduct;
- v) Advise employees of their right to submit a written response, to be both accompanied and represented at the hearing, to bring evidence and to call witnesses as necessary;
- vi) If the employee already has a final written warning and the outcome, if proved, could be dismissal, the employee will be informed of this in the letter;
- vii) If the employee is unable or unwilling to attend without good cause, the hearing may proceed in their absence and a decision made based on the evidence available.

6.4 The employee (and/or their representative) will provide, no later than 2 working days in advance of the disciplinary hearing, copies of any documents which they intend to produce as evidence, along with the names of any witnesses to be called.

6.5 All documents, including the Investigating Officer's report and the employee's written response, if one has been provided, will be made available to the person(s) hearing the case prior to the hearing to enable all submissions to be read prior to the start of the hearing.

6.6 Where a MAT school Head teacher has undertaken the disciplinary investigation or is a witness in proceedings, the case will be heard by a disciplinary panel composed of Governors from the LGB.

6.7 Where a possible outcome of the disciplinary process is dismissal, the case will be heard by a disciplinary panel composed of the MAT Head teacher and Governors from the LGB.

6.8 Where the employee concerned is the MAT Head teacher or Executive Principal, the case will be heard by a disciplinary panel composed of Directors.

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- 6.9 Disciplinary panel instances, where a possible outcome is dismissal, should have a quorum (minimum) of three members and only in cases where there are not enough Governors or Directors available should the disciplinary hearing proceed with a panel of two.
- 6.10 Where a disciplinary panel is hearing the case a pre-meeting may be arranged to prepare and agree the questions to be asked during the disciplinary hearing.
- 6.11 Keswick School's HR Manager will attend all pre-meetings and disciplinary hearings to advise the person(s) hearing the case on proceedings. HR advice must be considered before any final decision is taken.
- 6.12 At the discretion of the person(s) hearing the case, considering the circumstances, any other employee present at the hearing (e.g. witnesses) may be accompanied but not represented.
- 6.13 Following introductions, the person(s) hearing the case must start the disciplinary hearing by explaining its purpose, i.e. to consider the allegations, make a decision based on the evidence presented and, if necessary, to decide upon the disciplinary action, if any, to be taken.
- 6.14 The Investigating Officer and then the employee (or their representative) will provide their submissions, including documentary evidence, statements or witnesses. This will include the opportunity to present and question any witnesses who attend the hearing.
- 6.15 Once all the evidence has been presented the disciplinary hearing will be concluded. The person(s) hearing the case will then consider all the evidence presented and decide whether the employee has, or has not, broken the disciplinary rules. This will be done without reference to previous disciplinary records or any other information not introduced at the hearing.
- 6.16 If the decision is that the allegations against the employee are, on the 'balance of probabilities', not upheld, or that there is insufficient evidence to support the allegations made, no further action will be taken. A letter setting out the decision and the reasons for the conclusion will be sent to the employee within 5 working days. Where the employee is suspended, immediate steps will be taken to lift the suspension.
- 6.17 If the employee admits the allegations, or the decision is that the allegations against the employee are, on the 'balance of probabilities', found, the person(s) hearing the case will conclude that there has been a breach of the disciplinary rules and consider what disciplinary action should be applied.
- 6.18 Notes will be kept of meetings or hearings held in connection with a disciplinary case in accordance with the Records Management policy (KSMAT/STAT/020). The outcome of disciplinary proceedings will normally remain confidential to the parties involved.

## **7.0 DISCIPLINARY ACTION**

- 7.1 Disciplinary action will be taken where an employee has been shown to be in breach of the disciplinary rules (see paragraph 2.6). HR advice must be considered before any final decision is taken to ensure consistency of treatment.

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- 7.2 Before deciding on the appropriate disciplinary action to take the following will be considered:
- i) the gravity of the offence;
  - ii) the disciplinary action applied in similar cases in the past;
  - iii) the employee's disciplinary record (this will only be taken into account when deciding on the appropriate disciplinary action to take);
  - iv) any mitigating circumstances;
  - v) whether the proposed disciplinary action is reasonable.
- 7.3 Formal disciplinary action in order of severity for breaches of disciplinary rules include:
- i) Verbal warning (6 months) for minor breaches.
  - ii) Written warning (12 months) following a verbal warning or for more serious breaches.
  - iii) Final written warning (18 months) following a previous warning or for serious breaches.
  - iv) Dismissal following a previous warning or very serious breaches.
  - v) Immediate or summary dismissal (normally following a disciplinary hearing) in cases of gross misconduct without notice.
- 7.4 Unless the employee is dismissed for gross misconduct, they will receive the appropriate notice or payment in lieu of notice. No employee shall be dismissed for a first offence, other than gross misconduct.
- 7.5 Verbal and written warnings will be confirmed in writing and will contain the following details:
- i) the date and nature of the breach of the disciplinary rules;
  - ii) the course of action to be followed by the employee;
  - iii) the timescale for improvement (if appropriate);
  - iv) any assistance the MAT school will offer (if appropriate);
  - v) the right to appeal and how to exercise that right;
  - vi) the probable result of failure to meet the desired standards;
  - vii) that the warning constitutes the appropriate formal stage of the disciplinary procedure;
  - viii) the time period the warning will remain 'live' on the employee's file after which it will be securely disposed of (as per the Records Management policy – KSMAT/STAT/020).
- 7.6 Any written comments or observations which the employee may wish to make on the warning will also be kept on their file for the duration of the time it remains 'live'. These will then be securely disposed of at the same time as the warning.
- 7.7 Should the outcome of a disciplinary hearing adjudge that an employee was not blameworthy or should any disciplinary action be rescinded and effectively withdrawn following an appeal, all records relating to the allegation shall be removed from the employee's file, securely disposed of and the employee notified accordingly. In such circumstances, where the employee had been dismissed, any monies to which they would have been entitled will be repaid.

## 8.0 APPEALS PROCESS

- 8.1 There is a right of appeal against any decision to impose disciplinary action on an employee. Appeals must be lodged with either the Clerk of the LGB (for MAT school employees) or the Clerk to the Directors (for MAT Head teachers and the Executive Principal). This request, stating the grounds for the appeal, must be made within 10 working days of receipt of the written notification of disciplinary action.

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- 8.2 The appeal will normally be heard by a panel of three Governors (for MAT school employees) or three Directors (for MAT Head teachers or the Executive Principal) who have not been involved in any previous action or decision connected with the case. The Disciplinary Appeal Panel must not have fewer members than the original hearing panel.
- 8.3 The Disciplinary Appeal Panel will hear the appeal on the basis of the written notice of appeal that sets out the reason(s) for appeal. The appeal hearing will be set up within 28 days of receipt of the appeal request or as soon as is practicable thereafter.
- 8.4 The employee will be given at least 10 working days' notice of the appeal and be entitled to be accompanied and/or represented by a trade union representative or a workplace colleague.
- 8.5 No new allegations may be introduced at an appeal hearing but new evidence relating to the reason(s) for appeal is admissible. Any additional documents or witness statements provided by the employee should be provided to the Disciplinary Appeal Panel not later than 5 working days before the appeal hearing.
- 8.6 The reasons for the appeal, all documents relating to the allegations, copies of witness statements, together with the employee's written submission, if one has been provided, and the decision of the original hearing should be attached and made available to the Disciplinary Appeal Panel 5 days before the hearing.
- 8.7 A Disciplinary Appeal Panel pre-meeting may be arranged to prepare and agree on the questions to be asked during the appeal hearing.
- 8.8 Following introductions, the Chair of the Disciplinary Appeal Panel will start proceedings by explaining the purpose of the appeal hearing, i.e. to consider the grounds for appeal in the context of the original case, consider the evidence presented, make a decision based on the evidence presented and hear any plea of mitigation.
- 8.9 The Investigating Officer and then the employee (or their representative) will provide their submissions, including documentary evidence, statements or witnesses. This will include the opportunity to present and question any witnesses who attend the appeal hearing.
- 8.10 New evidence may only be presented at the appeal hearing if it has come to light since the original hearing and relates to the grounds for appeal.
- 8.11 Once all the evidence has been presented the appeal hearing will be concluded. The Disciplinary Appeal Panel will then decide whether the grounds for the appeal are, on the 'balance of probabilities', proven and whether to confirm, overturn or modify (but not increase) the decision of the first hearing regarding the disciplinary action to be taken.
- 8.12 The outcome of the appeal hearing will be confirmed in writing to the employee concerned within 3 working days.
- 8.13 If the decision is that the employee concerned should not be dismissed, a letter rescinding the original dismissal will be sent within 3 working days of the appeal hearing.

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8.14 Keswick School MAT has a statutory duty to report to the necessary authorities, in certain circumstances, when they cease to use a person's services in work involving regular contact with children.

## 9.0 GRIEVANCES

9.1 If a grievance is raised during the course of the disciplinary process, then the process may be suspended until the grievance has been resolved (see Grievance policy, KSMAT/STAT/019).

9.2 If a grievance is raised during the disciplinary hearing, and the grievance and disciplinary matter are related, then the grievance will form part of any subsequent appeal. Advice will be sought from Keswick School's HR Manager before any decision is taken.

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## PROCEDURE AT DISCIPLINARY HEARINGS AND APPEAL HEARINGS

1. The MAT Head teacher/Chair of the Panel will introduce those present, give names/job titles and roles (whether advisory or decision-making) and advise that notes will be taken of the proceedings for the record (and who will take them) and to assist in reaching a conclusion.
2. The MAT Head teacher/Chair of the Panel will explain the purpose of the disciplinary/appeal hearing, and the procedure that will be followed. Witnesses will be present only whilst they are being examined and will not be allowed to confer. Any questions of procedure will be clarified by Keswick School's HR Manager.
3. The Investigating Officer will outline the allegations, report the outcome of the investigation, call witnesses and introduce any other documentary evidence.
4. The employee (and/or their representative) will be invited to ask questions or to re-examine the evidence given by any witness.
5. The MAT Head teacher/Panel will have the opportunity to ask any questions or clarify any issues raised or to re-examine the evidence given by any witness.
6. The employee (and/or their representative) will be invited to present evidence in support of their case, including making a full statement and introducing any witnesses or documentary evidence.
7. The MAT Head teacher/Panel will have the opportunity to ask any questions or clarify any issues raised or to re-examine the evidence given by any witness.
8. Both parties will be invited to make a closing statement, with the employee (and/or their representative) making the final statement.
9. All parties will be asked to withdraw excepting the MAT Head teacher/Panel and the HR Manager attending to provide advice and the person taking notes of the proceedings.
10. The MAT Head teacher/Panel will decide whether the allegations are upheld (on the balance of probability) and, if so, what disciplinary action should be taken, or whether or not an appeal should be upheld.
11. Where the MAT Head teacher/Panel determines that there has been a breach of the disciplinary rules and that disciplinary action should be taken, the employee (and their representative) will be given the opportunity to make a plea of mitigation before a decision is made on any disciplinary action to apply.
12. The MAT Head teacher/Panel's decision will be communicated in writing to the employee concerned within five working days setting out the decision of the panel and the reasons for the conclusion.

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## SPECIFIC RULES AND STANDARDS

### 1.0 ABSENCES AND TIMEKEEPING

- 1.1 You must attend work when required and not absent yourself without permission and knowledge of your MAT Head teacher.
- 1.2 You, or someone on your behalf (in the case where the employee is too ill to make the call) should notify the MAT Head teacher or HR Manager of any unplanned absence from work and reason for absence in good time before the start of the working day on the first day of absence, unless it is not reasonably practicable to do so.
- 1.3 You must not display poor or bad timekeeping, including lateness for school or classes.
- 1.4 You should comply with the MAT school's leave of absence and sickness reporting procedures.

### 2.0 MISUSE OF SCHOOL MATERIALS/EQUIPMENT/PROPERTY/RESOURCES

- 2.1 You must not steal, misuse or misappropriate MAT school materials or equipment or property of pupils or staff.
- 2.2 You must not maliciously damage MAT school property or cause waste or loss of or damage to property through neglect.
- 2.3 You must not use any MAT school facilities for private purposes without the express consent of the MAT Head teacher/local governing body.
- 2.4 Private telephone calls may not be made at the MAT school's expense. Reasonable use of the telephone for urgent local personal calls is permitted but this should be kept to an absolute minimum.
- 2.5 Misuse of the Internet to look at websites containing illegal or unsuitable material.

### 3.0 NEGLECT OF DUTY/UNPROFESSIONAL CONDUCT

- 3.1 You are required to comply with all obligations in accordance with a statute or your contract of employment, including observing standards and requirements for pupil examinations and testing.
- 3.2 You must not be negligent or willfully produce inadequate standards of work.
- 3.3 You must maintain the accepted standards of the profession.
- 3.4 Your conduct outside work must not conflict with your official conduct at work.
- 3.5 You must always comply with the MATs financial regulations.

### 4.0 MISUSE/FALCIFICATION OF INFORMATION

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- 4.1 You are required not to make false and/or misleading statements, whether orally or in writing, in respect of official business.
- 4.2 You must not disclose official business to the press or media unless authorised to do so.
- 4.3 You must report any matter where you are required to do so.
- 4.4 You must not destroy, remove or willfully damage any document that is still required by the MAT school.
- 4.5 You must not disclose confidential information and/or documents relating to the business of the MAT school, its employees or any member of the public with whom it has dealings, unless authorised to do so.
- 4.6 The only exception to this rule would be in situations where there was suspected malpractice and individuals should refer to the Whistleblowing Policy for guidance.
- 4.7 You should observe confidentiality in respect of any discussions with other staff about their professional problems and difficulties and not misuse confidential information about pupils or families. (Staff must use their professional judgement regarding the confidentiality of information, bearing in mind the requirements of the law and the best interests of pupils).
- 4.8 Adverse criticism of colleagues (including comments about the conduct, competence or efficiency of other teachers) in the presence of third parties, including pupils, is unacceptable except in the context of agreed procedures.
- 4.9 Improper use of an official position for private gain or the private gain of some other person. Accepting gifts, gratuities or bribes, which may compromise you or the school in any way.

## **5.0 CRIMINAL CONDUCT**

- 5.1 You must not commit a criminal offence at work.
- 5.2 Your conduct outside of work, including those resulting in criminal charges or convictions, may have an impact on your work. Keswick School MAT will consider the nature of the offence or conduct, the duties of your post and whether this makes you unsuitable for their type of work or brings the MAT school into disrepute.
- 5.3 You must disclose all police cautions or convictions for a criminal offence (unless under the terms of the Rehabilitation of Offenders Act 1974 the conviction is 'spent') and your post is not exempt from these provisions. This includes any cautions or convictions you acquire whilst working for the MAT school which you must report immediately to your MAT Head teacher.

## **6.0 HEALTH AND SAFETY**

- 6.1 At all time you must conduct yourself in such a way that you do not create a potential risk or injury or danger to yourself or anyone else.

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- 6.2 You must comply with the procedure for reporting an accident.
- 6.3 Where there are specific health and safety rules made known to you, you must comply with them at all times, including fire regulations and any restrictions on smoking in the workplace or during working hours.
- 6.4 You must maintain general hygiene standards.
- 6.5 Where safety clothing or equipment is necessary to carry out a particular task, you must use this at all times in carrying out this task.
- 6.6 You must comply with any local regulations regarding smoking in the workplace.
- 6.7 You must only carry out activities which have a potential risk to health if you are competent and authorised to do so. If you are uncertain about whether you are competent and/or authorized to do so, you should seek the advice of your line manager, a member of the senior leadership team or the Health and Safety Coordinator.

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