**RIVINGTON PRIMARY SCHOOL**

**Disciplinary Rules**

**and Procedures**



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**Disciplinary Rules and Procedures for Schools**

Chief Executives Department Human Resources Section



Town Hall Victoria Square

St Helens Merseyside WA10 1HP

# September 2014

# DISCIPLINARY RULES

Disciplinary rules are necessary to set standards of conduct which are recognised as reasonable by the School, the recognised trade unions and individual employees.

The School, as a public body, must demonstrate the highest of standards in the way its employees conduct themselves when acting on behalf of, or representing, the School.

Knowing and observing the rules and being aware of the consequences of contravening those rules assist employees in attaining standards of conduct and behaviour which reflect the aspirations of the School as an employer.

Disciplinary rules cannot cover all possible incidents which may arise during employment. The omission of particular types of conduct from the rules does not mean that disciplinary action is thereby excluded; the rules give examples only and any breach of normal good conduct or standards of work may be subject to disciplinary action.

It is important that these rules are read in conjunction with:

* Code of Conduct for Employees;
* Standing Orders, Financial Procedure Rules, Financial Instructions;
* Health and Safety Policies;
* Information & ICT Security Policies;
* Guidance for Safer Working Practice for Adults who work with Children and Young People in Education Settings;

or any other regulation or procedure which applies to individual employees where these have been adopted by the Governing Body of each school. This includes rules and standards set by professional bodies or institutions which govern the conduct of their members.

The rules fall into two categories, examples of gross misconduct which is so serious that a single occurrence could result in summary dismissal, or misconduct for which repeated incidents, either related or unrelated, could result in dismissal following adequate warning/s.

1. Gross Misconduct
   1. Unauthorised removal, theft or use of School, Council, pupils, members of the public or fellow workers property or money.
   2. Sexual misconduct whilst working for or on School or Council property. This includes sexual misconduct directed towards fellow workers or any person in or under the Council’s care
   3. Serious harassment, bullying or threats to fellow workers, members of the public or pupils, either physical, verbal or written and including any protected characteristics as stipulated in the Equality Act 2010 (i.e. age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation)
   4. Consuming alcohol or proscribed drugs, or being on licensed premises during working hours without permission; or reporting for work in an unfit state due to alcohol or proscribed drugs.
   5. Wilful assaults, threatening/abusive behaviour or fighting during working hours.
   6. Serious and/or persistent breaches of agreed standards set by the School / Council and/or relevant professional bodies or institutions. This includes those relating to the care of pupils, fellow workers and members of the public.
   7. Conduct outside of work which could result in a loss of trust in an individual as an employee, or a conviction which renders it unlawful for you to carry out your duties (see also paragraph 3: Criminal Offences).
   8. Serious and/or persistent abuse of the sickness scheme.
   9. Serious and/or persistent misuse of computer facilities, including e- mail and internet facilities.
   10. Conduct or action which could bring the School or Council into serious disrepute.
   11. Intentional abuse, misuse or unauthorised destruction of, or damage to, School, Council or other property, including property of pupils, members of the public and fellow workers.
   12. Wilful disregard of, or failure or refusal to adhere to, the Health and Safety Regulations or Codes of Safe Working Practices including those Safe Practices linked to working with children and young people.
   13. Falsifying applications for employment, medical record, work records or any record associated with or completed during employment.
   14. A serious act of insubordination or deliberate refusal to carry out a reasonable, lawful instruction.
   15. Serious negligence which causes or might cause unacceptable loss, damage or injury.
   16. Professional negligence.
   17. Any comment or statement made for example via social networking sites which has the potential to bring the School / Council into disrepute or calls into question the professionalism of the employee and their suitability to continue in their role.
2. Misconduct
   1. Unsatisfactory timekeeping.
   2. Absence without permission.
   3. Unsatisfactory standards of work not related to capability.
   4. Failure to follow recognised procedures, e.g. holiday and sickness notification.
   5. Rudeness or incivility to members of the public, fellow workers or pupils.
   6. A less serious act of insubordination and failure to follow management instruction
3. Criminal Offences

If an employee is charged with, or convicted of a criminal offence consideration needs to be given to what effect the charge or conviction has on the employee’s suitability to do their job and on their relationship with their employer, work colleagues and pupils. Employees are obliged to inform the Council of any offence that could impact on their employment.

September 2014

# DISCIPLINARY PROCEDURE

1. **INTRODUCTION**

In order to provide a fair and effective method of dealing with disciplinary matters the following procedure will be applied in all instances where disciplinary action is regarded as warranted. It has been drafted in accordance with the ACAS Disciplinary and Grievance Procedures Code of Practice (April 2009), and in many areas exceeds the provisions of that Code of Practice.

An informal reprimand may be given for a relatively minor first act of misconduct. This is designed to reflect the proportionality of the misconduct and the individual’s response to it i.e. their acceptance of the reprimand. If there is no acceptance, the matter will be addressed via the formal procedure. A written management instruction letter will be used to address such issues. It is recommended that a copy of any such reprimand be retained including the date of issue.

# SCOPE OF THE PROCEDURE

* 1. This procedure applies to all employees of the School including the Head teacher / Principal.

(ii)(a) No formal disciplinary action will be taken against a trade union steward until the matter has been discussed with a trade union convenor.

* + 1. Similarly no formal disciplinary action will be taken against a trade union convenor until the matter has been discussed with a relevant full time official.
    2. In cases of suspected gross misconduct, or where it is deemed in the better interest of any future investigation then a trade union steward or convenor can be suspended prior to the appropriate official being notified, with the official being notified, as a matter of urgency.

# SUSPENSION

Where a matter arises which is believed could be in contravention of the disciplinary rules, or may otherwise be a disciplinary matter, the issue of whether the employee is to remain in work during the investigation will need to be considered.

Suspension from duty will not be automatic, but is more likely if the matter concerned is potentially gross misconduct, or where the employee remaining at work could prejudice a thorough investigation. Suspension in these circumstances is not disciplinary action, and should be regarded as a neutral act.

# Consideration of alternative to suspension

The School will consider any alternatives to suspension and in any case will continually review suspensions with a view to them being lifted as soon as is practicably possible. In certain cases dependent on the circumstances it may be appropriate to move the employee to provide alternative duties.

# Pay

Employees under suspension or alternative duties will receive full contractual pay and allowances during this period. In cases where pay is subject to variation, payment will be based on the average of the twelve weeks prior to the suspension. Employees who report sickness whilst suspended will receive payment in accordance with their contractual entitlement, i.e. occupational sick pay and/or SSP where applicable.

# Conditions of Suspension / Alternative Duties

Suspension will be confirmed, in writing, to the employee, together with any conditions placed upon them. Where the employee is not suspended they will be notified in writing of the investigation and any conditions placed upon them in terms of remaining in work and any alternative duties they would be required to undertake.

During the period of suspension employees must not visit their place of work nor must they contact their work colleagues or Governors during working hours without the prior consent of a nominated officer. They should not attempt to undertake any work relating to their position with the School, or any other work relating to School business without prior consent. Access to I.T. systems and buildings will be revoked as a condition of suspension.

Contact of a personal nature may be maintained with work colleagues during the investigation however employees must not discuss or disclose information in relation to the investigation, nor should they seek to influence potential witnesses or breach any specific conditions imposed on them.

Any breach of the rules regarding suspension or other conditions imposed, or attempt to inappropriately influence the investigation or potential witnesses, would be considered as gross misconduct and will lead to a further disciplinary investigation and/or disciplinary action being warranted.

Where an obligation exists to notify an external body of a suspension such a body will be notified accordingly.

# Lifting Suspension / Alternative Duties

There may be situations during or on completion of the investigation that the Investigating Officer should recommend that the suspension / the requirement to carry out alternative duties be lifted. However, there may still be a case to answer of either gross misconduct or misconduct and in such cases employees will be advised of this, and any conditions placed on their return.

# Suspension of the Head teacher

The Chair of Governors will normally carry out suspension of the Head teacher. The Head teacher or a member of the Senior Leadership Team would normally carry out suspension of other staff.

# INVESTIGATION

**Timescales**

The primary focus of all involved (i.e. management, the employee and their representatives) must be to minimise delays in the process for the benefit of all concerned.

# Support for Employees

Employees can access support from their Trade Union representatives and are actively encouraged to do so. Further, employees can refer themselves to Occupational Health who may be able to provide advice and support.

# Notification of issues

Where a matter arises that is to be investigated in accordance with this procedure, the employee will be given a broad indication of the concern(s) and an investigation will be carried out.

# Involvement of Other Agencies

Where other agencies are investigating the matter e.g. the Police, Benefits Agency etc. in the interest of natural justice the internal investigation may need to be held in abeyance pending the notification from such other investigating agencies that the School’s investigation will not detriment that of the other party. If the third party investigation does not hamper the disciplinary investigation then the investigation will continue and be brought to a conclusion.

# Investigatory Interviews

As part of the investigation the employee may be interviewed, prior to any formal constituted hearing.

Investigatory interviews are not disciplinary hearings, but are for the purpose of investigating the concern(s) to ascertain the facts and decide whether disciplinary action should be considered. The employee may wish to be accompanied by a trade union representative or workplace colleague of his/her choice. If this is the case it is the responsibility of the employee to ensure the representative’s attendance at the interview. The Trade Union representative / colleague is not permitted to answer questions on behalf of the employee.

If the employee believes that evidence / information exists which would support their case, they are obliged to make investigating officers aware of the detail of this at the earliest opportunity to allow a full investigation to take place.

# Notes of Interviews

Notes of the interview will be taken by the Investigating Officer(s), which will constitute the employer’s record. They will not be produced as a statement from the employee or a verbatim script of the meeting and therefore will not require agreement. Employees are entitled to submit a written account of their explanation/answers before, at or following any interviews which will be considered as part of the investigation.

# Use of Recording Devices

The use of any form of recording device is not permitted during meetings convened as part of the investigation. If unauthorised recording is discovered, this may constitute a disciplinary issue in its own right.

# Witness Statements

It may be necessary to interview witnesses as part of the management investigation. Similarly employees may wish to approach witnesses to support them, subject to having received permission to do so. All witnesses will be required to sign the record of the interview or a statement to indicate their agreement and witness statements must be made available to all parties prior to the hearing and in accordance with the timescales set out in the **Notification / Documentation** section of this procedure.

When interviewed as part of the management case, witnesses may be accompanied by a trade union representative or school colleague of his/her choice. This colleague or representative will not be involved in the representation of the employee or employees under investigation. The anonymity of certain witnesses may need to be maintained dependant on the circumstances of the complaint made. Anonymous witnesses will be treated in accordance with ACAS guidance.

# Surveillance

Where the investigation involves surveillance the School should follow the principles in the Employment Practices Data Protection Code. Further advice on this is available from Human Resources, Employee Relations Section and Internal Audit.

# Anonymous Information

Occasionally the School / Council may receive anonymous information which requires further consideration. The School / Council will consider any such information, however, care will be taken to safeguard the rights of the employee/s subject to the allegations.

# DISCIPLINARY HEARING

If on completion of the investigation if the Investigating Officer(s) feels that on the balance of probabilities there is a case to answer, then the Investigating Officer(s) will arrange a disciplinary hearing to be chaired by an appropriate Hearing Officer / Committee, as agreed via the constitution of the School’s Governing Body, who have had no substantial involvement in the matter under investigation.

Where gross misconduct is alleged the hearing will be conducted in accordance with procedures adopted by individual Governing Bodies. This will either be:

1. Head Teacher
2. Head Teacher with advice from a Committee of 2 Governors
3. a Committee of the Governing Body (minimum 3 Governors) The format of the disciplinary hearing is attached at Appendix One.

# Notification / Documentation

The Investigating Officer(s) will ensure that the employee is notified by letter of the hearing, together with time, date and venue. The employee will be supplied with a copy of the Investigating Officer’s report, plus any supporting documentation, no later than 10 working days in advance of the hearing. The allegation(s) will be clearly stated in writing to the individual.

A copy of the documentation will also be supplied in advance to the appropriate Hearing Officer / Committee to avoid delays at the commencement of the hearing.

The employee or representative may also wish to submit documentation. This should be provided to the Investigating Officer(s) no later than five working days before the hearing and submitted to the appropriate Hearing Officer / Committee prior to the hearing. It will be for the Hearing Officer / Committee to decide whether any documentation (from either side) provided later than this or on the day of the hearing will be accepted. In any case time, as decided by the Hearing Officer / Committee, must be provided for the receiving side to consider the documentation.

# Witnesses at the Hearing

Where the Investigating Officer(s) or the employee or their representative intend to call witnesses they should give advance notice and provide witness statements in advance of the hearing, in accordance with the ‘Notification / Documentation’ paragraph above.

Where witness statements are relied on, the party submitting the witness statements must be prepared for either the other side or the Hearing Officer / Committee to request their attendance at the hearing for the purpose of cross examination.

Should any evidence be submitted on the basis that the witness legitimately wishes to remain anonymous (for example under the Confidential Reporting Policy or in very serious cases where there is a genuine reason accepted by the Hearing Officer / Committee) then the Hearing Officer / Chairperson / Committee and advisor will interview those persons providing the information privately. When the evidence is shared at the hearing (anonymity protected) either side may wish to raise points in relation to this information. The Hearing Officer / Chairperson / Committee then may wish to adjourn and put forward these points to the witness for their response.

# Use of Recording Devices

The use of any form of recording advice is not permitted during the Disciplinary Hearing. If unauthorised recording is discovered, this may constitute a disciplinary issue in its own right.

# REPRESENTATION AT FORMAL DISCIPLINARY HEARINGS

Employees have the right to be represented at a formal disciplinary hearing. The representative will be from a trade union or an official employed by a trade union (a trade union representative who is not an employed official must have been certified by their trade union as competent to accompany the worker.) Alternatively, the employee may be represented by a workplace colleague of his/her choice from within the School. The School will not permit representation by other sources or organisations.

The representative may conduct proceedings on behalf of the employee or simply accompany whilst the employee conducts his/her own case. The Representative will not be permitted to answer questions on behalf of the employee. In some cases the employee may not be in attendance. In those cases the representative may conduct the representation alone or with written statements from the employee concerned.

# Postponements / Failure to Attend

Where the employee or representative requests a postponement then the hearing will be re-arranged in line with the Employment Relations Act 1999 and the opportunity provided for the employee and/or representative to attend or supply a written submission for consideration.

The Employment Relations Act 1999 only provides for one postponement due to the unavailability of a representative / workplace colleague. It is recognised that there are other reasons which may prompt a request for a postponement.

Failure to attend or make a submission at the rearranged hearing may result in the hearing proceeding and a decision being taken on the evidence available.

If an employee submits a GP’s advice note that they are unfit, and the employee claims they are not fit to attend a disciplinary hearing, clarification may be sought from the Council’s Occupational Health Service.

If the subsequent advice indicates that the employee is fit to attend, the hearing will go ahead.

If the advice indicates that the employee is not fit to attend a hearing in person within a reasonable period or the employee chooses not to attend, the employee will be invited to present a written submission for consideration at the hearing, and/or nominate their representative to attend and present the case in their absence.

If the Council’s Occupational Health Unit indicates that the employee may be fit to attend a hearing in a specified period of time the hearing may be postponed for a maximum period of 4 weeks. If the employee disputes their fitness to attend at this point the matter may be referred back to the Council’s Occupational Health for an opinion but will not negate the right for the hearing to proceed by consideration of a written submission and/or the employees nominated representative to attend and present their case.

# DISCIPLINARY ACTION

All levels of disciplinary action and reasons for the action will be confirmed in writing as soon as reasonably practicable.

The Hearing Officer / Committee will arrive at a decision after giving due consideration to the evidence and any relevant mitigating circumstances that may be submitted. If the decision is that the allegation(s) is/are proven, the following sanctions may be imposed. These sanctions will take effect from the date the decision is communicated unless this is otherwise specified.

Oral Warning

For a minor offence the employee will be issued with a formal oral warning making it clear why the warning is being issued and that further misconduct will lead to more serious disciplinary action. The warning will normally be current for a period of not more than six months.

The issuing of a formal oral warning will be confirmed by letter and will be recorded on the employee’s personal file. It will remain current until expiry.

Written Warning

For a more serious offence or in the case of a lesser offence whilst a formal oral warning remains in existence, then a written warning will be issued.

The warning will remain current for a minimum period of 12 months up to a maximum of 24 months from the date of issue and the time period will be specified at the time of issue. It will explain why the warning is being given and that any further incidents of misconduct within that period will lead to further more serious disciplinary action.

The warning will be recorded on the employee’s personal file. It will remain current until expiry.

Final Written Warning

Where a serious offence of misconduct, or in the case of a lesser offence which is committed during the period of a written warning occurs, a final written warning can be issued. The warning will explain the nature of the misconduct and the reasons why the warning has been issued and will explain that further misconduct during the warning period could lead to dismissal.

The warning will be issued for a minimum period of 12 months up to a maximum of 24 months, and will be specified at the time of issue. Again, the warning will be recorded on the employee’s personal file. It will remain current until expiry.

Dismissal with Notice

Dismissal where an employee is entitled to a notice period usually occurs following disciplinary action for an offence, other than gross misconduct, where a final written warning is in place.

In the case of an employee who appeals against dismissal (other than dismissal for gross misconduct) the employee will be paid contractual notice pay and every effort will be made to convene an appeal prior to the dismissal date. Should the appeal be successful resulting in reinstatement after the dismissal date then all relevant payments will be made to the individual.

Summary Dismissal

Dismissal without notice occurs in cases of gross misconduct regardless of whether any disciplinary action has been taken against the employee previously.

In a case of dismissal for gross misconduct, if the appeal is successful and results in reinstatement all relevant payments will be made to the individual. This will be subject to any alternative disciplinary action which may be imposed by the Appeal Committee.

Action as an Alternative to Dismissal

In cases where gross misconduct is proven, suspension without pay, demotion, disciplinary transfer, loss of increments or other penalty short of dismissal may be sanctions that could be considered in conjunction with a final written warning as an alternative to dismissal. This would be the case where the employee acknowledges the breach of the disciplinary rules and the Officer/ Committee hearing the case considers there to be valid reason for doing so.

If the decision is to offer any of the above with a final written warning as an alternative to dismissal and the employee accepts this, there will be no right of appeal. If the alternative to dismissal is not accepted by the employee the dismissal will be implemented and the employee will be entitled to appeal against their dismissal.

# APPEAL AGAINST DISCIPLINARY ACTION

Appeals under this procedure in respect of warnings or dismissal will take the form of a review. This constitutes the Appeal Hearing Officer / Committee reviewing the

disciplinary Hearing Officer’s / Committee’s decision based on the evidence before them and whether this fell within a band of reasonable responses open to an employer.

The appeal must be submitted using the document at Appendix 4 and must be signed by the employee stating whether the employee is appealing against the findings (that the allegation(s) were proven) or the level of sanction imposed. The documentation must be completed providing full written reasons and detail supporting the grounds of appeal including any new evidence that may have emerged.

The notice of appeal must be submitted to the individual specified in the disciplinary confirmation letter within ten working days of receipt of written notification of the decision.

If any new evidence from either party emerges after the submission of the appeal form and prior to the appeal hearing then this will be for the Appeal Hearing Officer / Committee to decide the relevance of this evidence and whether it should be accepted and, if accepted, whether this should be remitted back to the original disciplining officer / Committee for their consideration. The appellant must show why the evidence is new, relevant and why it was not possible to produce this evidence at the original hearing.

# Appeal against a Formal Warning

Appeal against formal warnings will be heard by a more senior leader than the disciplining officer or an appeal committee of the Governing Body. The officer / Committee hearing the appeal will have had no substantial involvement in the disciplinary investigation or hearing. All documentation submitted to, and accepted by, the first hearing will be provided to the chair of the appeal in advance.

These appeals will take the form of a review by way of oral submissions from the management side and employee side, with reference to any documentation submitted to the original hearing, as appropriate. The format for such appeals is attached at Appendix Two.

# Appeal Against Dismissal

Appeal against dismissal will be heard by a Governing Body Appeals Committee. This appeal will also take the form of a review of the decision by way of oral / written submissions from the management and employee, with reference to notes of the hearing and documentation submitted to, and accepted by, the disciplinary hearing.

The Chair of the Appeal may, at their discretion, substitute other disciplinary action. Such other action will be determined with regard to the seriousness of the offence, the employee’s record and other relevant factors. The appeal decision is final and concludes the internal process.

The format for such appeals is at Appendix Three.

# MONITORING DISCIPLINARY ACTION

The Council has a statutory obligation to undertake monitoring in respect of race, gender and disability. Disciplinary actions undertaken are one of the items that must be monitored under this obligation to ensure that they are free from discriminatory bias in respect of their content and handling.

The Council is required to record and monitor any reported hate incidents involving its staff. Any action that is founded, and concerns discrimination in matters of racism, disablism, sexism, religious discrimination, homophobia, discrimination related to gender reassignment or to ageism must be recorded using the Council’s agreed reporting form.

# REFERRAL TO APPROPRIATE BODIES

The School or Council will refer cases as required to relevant bodies as required including the Police, Disclosure and Barring Service, National College of Teaching and Leadership etc.

# Date: September 2014

Appendix 1

# ORDER OF PRESENTATION

**DISCIPLINARY HEARING**

1. The Chair introduces the participants and outlines the procedure to be used.
2. The Management Representative(s) present the management’s case.
3. Witnesses\* may be called to support management’s case and be questioned by the following:-
   1. Management Representative(s).
   2. The Employee or Representative.
   3. The Chair / Committee and Advisors.
   4. Management Representative(s) have the right of re-examination.

At the conclusion of the management case the Management Representative(s) may be questioned by (a) the Employee or Representative (b) The Chair / Committee and Advisors.

1. The Employee or Representative presents the case in defence.
2. Witnesses\* may be called to support the employee’s case and are questioned by the following:-
   1. The Employee or Representative.
   2. Management Representative(s).
   3. The Chair / Committee and Advisors.
   4. The Employee or Representative has the right of re-examination.

At the conclusion of the employee’s case the Employee or Representative may be questioned by (a) the Management Representative(s), (b) the Chair / Committee and Advisors.

1. Management Representative(s) summarise the Management’s case.
2. The Employee or Representative summarises the employee’s case.
3. The Chair of the Hearing requests both parties to withdraw, but may call upon either party, in the presence of the other, for a point of clarification. In certain cases, an adjournment may be made and another date set for reconvenement, particularly in lengthy cases where there is a great deal of information to consider.
4. The Chair of the Hearing recalls both parties and conveys the decision orally in the presence of both parties.
5. The decision will be confirmed in writing to both parties as soon as is reasonably practicable.

\* Should any evidence be submitted on the basis that the witness legitimately wishes to remain anonymous (for example under the Confidential Reporting Policy or in very serious cases where there is a genuine reason accepted by the Hearing Officer / Committee) then the Hearing Officer / Chairperson / Committee will interview those persons providing the information privately. When the evidence is shared at the hearing (anonymity protected) either side may wish to raise points in relation to this information. The Hearing Officer / Chairperson / Committee then may wish to adjourn and put forward these points to the witness for their response

Date: September 2014

Appendix 2

# DISCIPLINARY APPEALS

**Disciplinary Action other than Dismissal**

1. The Chair introduces the participants and outlines the procedure to be used.

|  |  |  |
| --- | --- | --- |
| 2. | (a)  in | The Management Representative(s) present the management’s case by way of oral submission with the Chair or a representative of the original Committee attendance. |
|  | (b) | The Management Representative(s) may question the original Committee member |
|  | (c) | The Employee or Employee’s Representative may question the original Committee member |
|  | (d) | The Chair / Committee and Advisors may question the original Committee member |
|  | (e) | The Management Representative(s) has the right to re-examination. |
| 3. | (a) | The Employee or Employee’s Representative presents the case |
|  | (b) | The Management Representative(s) may question the Employee . |
|  | (c) | The Chair / Committee and Advisors may question the Employee . |
|  | (d) | The Employee or Employee’s Representative has the right to re-examination |

1. The Management Representative(s) summarise the management’s case
2. The Employee or Employee’s Representative summarises the employee’s case
3. The Chair of the Hearing requests both parties to withdraw, but may call upon either party, in the presence of the other, for a point of clarification.
4. The Chair of the Hearing recalls both parties and conveys the decision orally in the presence of both parties.
5. The decision will be confirmed in writing to both parties as soon as is reasonably practical.

Date: September 2014

Appendix 3

# DISCIPLINARY APPEALS

**Dismissal**

1. The Chair introduces the participants and outlines the procedure to be used.
2. (a) The Management Representative(s) present the management’s case by way of oral submission with the Chair or a representative of the original Committee in attendance.

|  |  |  |
| --- | --- | --- |
|  | (b) | The Management Representative(s) may question the original Committee member |
| (c) | The Employee or Employee’s Representative may question the original Committee member |
| (d) | The Chair and Advisors may question the original Committee member |
| (e) | The Management Representative(s) has the right to re-examination. |
| 3. | (a) | The Employee or Employee’s Representative presents the case |
|  | (b) | The Management Representative(s) may question the Employee . |
|  | (c) | The Chair and Advisors may question the Employee . |
|  | (d) | The Employee or Employee’s Representative has the right to re-examination |

1. The Management Representative(s) summarise the management’s case
2. The Employee or Employee’s Representative summarises the employee’s case
3. The Chair of the Hearing requests both parties to withdraw, but may call upon either party, in the presence of the other, for a point of clarification.
4. The Chair of the Hearing recalls both parties and conveys the decision orally in the presence of both parties.
5. The decision will be confirmed in writing to both parties as soon as is reasonably practical.

Date: September 2014



**Appeal Against Disciplinary Action**

# 1. Your Details

* + Title Mr Mrs Miss Ms Other
  + First name (or names)
  + Surname / Family name
  1. Employee Number
  2. Post Title
  3. School

## Address

* 1. Postcode
  2. Personal Contact Telephone No
  3. Work Contact Telephone No

# 2. Your Appeal

**This section must be completed**

I am appealing against (please tick):

* + The Findings (i.e. that the allegation(s) were proven)
  + The Sanction (i.e. that the level of sanction was disproportionate)
  + Please set out the background and details of your appeal in the space below. The detail of your appeal should include your reasons as to why you feel the findings were incorrect and/or the sanction was disproportionate.

This information will form the basis of your appeal; please ensure all relevant information is included as far as is possible. Continue on the blank sheet at the end of this form if necessary.

# 3. Your Representative (if applicable)

**Please fill in this section only if you intend to be accompanied to the hearing by a Trade Union representative or workplace colleague. This will allow us to include them in communication regarding your appeal.**

Name of Representative or

* 1. Workplace Colleague
  2. Name of Trade Union (if applicable)

Address of Representative or

* 1. Workplace Colleague (should you wish us to copy them into any

correspondence relating to your appeal)

* 1. Telephone No of Representative or Workplace Colleague

**\*\*Please return this form to the contact officer named in the disciplinary decision letter \*\***