



Mission Statement

“A Caring Christian Family Where We Grow Together”

STAFF DISCIPLINE PROCEDURE

Effective Date: 01/04/2017

Review Date: June 2025 Biennial

Review Date	Signed Head Teacher	Signed Director RCSAT
11/09/2018	<i>J. L. J. J. J.</i>	<i>P. B. B. B.</i>
20/09/2019	<i>J. L. J. J. J.</i>	<i>P. B. B. B.</i>
11/05/2021	<i>J. M. Badger</i>	<i>P. B. B. B.</i>
01/06/2023	<i>J. M. Badger</i>	<i>P. B. B. B.</i>

Persons Responsible for Policy:	Executive Headteacher RCSAT
Approval Date	01/04/2017
Signed:	Director RCSAT
Signed:	Executive Headteacher RCSAT



1. Implementing the Procedure

1.1. Responsibilities

- 1.2. The Executive Headteacher shall have overall responsibility for the implementation of this Procedure and shall ensure that all aspects of the procedure are managed appropriately.
- 1.3. To facilitate this, the Executive Headteacher has designated named staff and governors to manage aspects of this procedure, including co-ordination, health and safety governance overview and daily checks on the conditions of the premises, reporting any issues to the Executive Headteacher.
- 1.4. The named persons are detailed in Appendix 1 of the procedure.

2. General Principles

- 2.1. It is important to deal with disciplinary matters promptly, in a firm, fair and consistent manner, ensuring objectivity is applied at all times. The dignity of all parties involved shall be maintained throughout the procedure.
- 2.2. Where possible, managers/principals shall try and resolve issues of minor misconduct at the earliest opportunity and with the least possible formality. Where problems are not resolved using an informal approach or if circumstances are considered sufficiently serious to warrant formal investigation, formal disciplinary action shall be considered.
- 2.3. It is not possible to define all acts of misconduct or unacceptable behaviour that could lead to disciplinary action however examples of misconduct and gross misconduct are given in the disciplinary procedure and managers/principals/exec headteachers shall ensure that all employees are informed of these examples at induction.
- 2.4. In disciplinary matters managers/principals, employees and Trade Union Representatives shall adhere to the following principles:
 - 2.4.1. Issues will be raised and dealt with in accordance with the agreed timescales. Meetings and decisions will not be unreasonably delayed by any party.
 - 2.4.2. All parties will behave consistently, appropriately and professionally.
 - 2.4.3. Investigations will be carried out to establish the facts of each case and consideration will be given to the reasonableness of any proposed action according to the circumstances.
 - 2.4.4. The employee will be advised of the nature of the complaint against him/her and given the opportunity to state his/her case and present relevant evidence at a disciplinary hearing before any decision is made.
 - 2.4.5. Managers/principals will allow an employee to be accompanied by a work colleague or by their trade union representative at any formal disciplinary meeting.
 - 2.4.6. Consideration may be given to allow an employee to be accompanied by a legal representative but only in exceptional circumstances where, as a result of disciplinary action the employee is at risk of being barred from working in their profession. The decision on such representation will be at the hearing managers' discretion.
 - 2.4.7. All employees will have the right of appeal against any formal decision made.
 - 2.4.8. Where an employee is persistently unable or unwilling to attend a disciplinary hearing without good cause, employers may make a decision on the basis of the available evidence.
 - 2.4.9. Employees will not be dismissed for a first incident of misconduct except in the case of gross misconduct.
 - 2.4.10. Proceedings, witness statements, records and warnings will be kept confidential and will be retained and disposed of in accordance with the Data Protection Act 2018.
 - 2.4.11. Where disciplinary action is being considered against an accredited official of a recognised trade union, the case will be discussed, after obtaining the employee's agreement, with a senior trade union representative or paid union official.



- 2.5. At each stage of this procedure all those involved shall bear in mind the need to satisfy the tests of natural justice, equity and reasonableness.
- 3. Malicious or Anonymous Allegations**
- 3.1. If an individual makes an allegation in good faith but it is not confirmed by the investigation, no action shall be taken against them. If, however, an employee makes an allegation frivolously, maliciously or for personal gain, disciplinary action may be taken against them.
- 3.2. RCSAT schools do not encourage the making of anonymous allegations and shall only consider these in exceptional circumstances. Any decision to consider anonymous allegations shall be at the absolute discretion of the school. In exercising this discretion the following factors shall be considered:
- 3.2.1. the seriousness of the issues raised,
- 3.2.2. the credibility of the concern, and
- 3.2.3. the likelihood of being able to confirm the allegation.
- 3.3. This does not affect the ability to make an anonymous disclosure under the school's Whistleblowing Procedure.
- 4. Confidentiality**
- 4.1. All parties shall have a responsibility to deal with disciplinary issues in a sensitive and confidential manner.
- 4.2. Information shared as part of a disciplinary process is confidential and shall not be used or published for any other purpose. Failure by any parties involved in the investigation or disciplinary process to observe this requirement could lead to further disciplinary action.
- 5. Equality**
- 5.1. The Board of Trustees shall ensure that, when implementing the disciplinary procedure, no employee will be disadvantaged on the basis of their gender, transgender, marital status or civil partnership, racial group, religion or belief, sexual orientation, age, disability, pregnancy or maternity, social or economic status or caring responsibility.
- 5.2. This means that the procedure may need to be adjusted to cater for the specific needs of an individual including the provision of information in alternative formats where necessary.
- 6. Monitoring**
- 6.1. Data relating to disciplinary cases shall be collated and monitored regularly to ensure that the procedure is operating fairly, consistently and effectively. Issues that are identified from the data will be dealt with appropriately.
- 7. Review**
- 7.1. The procedure will be reviewed in the light of operating experience and/or changes in legislation as and when required.

Appendix 1**RESPONSIBILITIES**

Area of Responsibility	Person Responsible
Overall responsibility	Executive Headteacher
Co-ordinator in School - Bunbury	Principal of School
Co-ordinator in School – St Oswald's	Principal of School
Co-ordinator in School – Warmingham	Principal of School
Governor	HR Director

