



Our Mission Statement

Granville Sports College is committed to:

- Raising standards of achievement and creating opportunities for all pupils, regardless of needs to develop their full potential and improve their life chances
- Raising the aspirations of the whole school community by creating a culture of continuous learning that celebrates success at all levels
- Developing a school that is the pride of the local area where pupils, parents, staff, governors and wider community feel valued, listened to and welcomed for the diverse contribution they make to our school life

Disciplinary Procedure for Staff Adopted from DCC (March 16 update)

- Co-ordinator: Joanne Kingswood (Headteacher)
- Start date: May 2017
- Review date: May 2018 or in line with LA changes

Signature.....Headteacher, Date.....16/05/17

Signature.....Chair of Governors, Date...16/05/17

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1. Purpose

The purpose of the disciplinary procedure is to consider how to resolve a matter related to the conduct of an employee through agreed and recognised channels which ensure that all concerned are aware of their rights and obligations.

2. Scope

- 2.1 This disciplinary procedure has been determined by the Governing Body of **Granville Sports College** in accordance with the advice of Derbyshire County Council consistent with the requirements of National and Local Conditions of Service and the Articles and Instruments of Government and the Advisory, Conciliation and Arbitration Service (ACAS). It applies to all staff employed within the staffing complement of the school.

3. Key Principles

- 3.1 The over-riding consideration of all investigations should be to investigate thoroughly and to address the issues as speedily as possible.
- 3.2 At any stage throughout the disciplinary procedure an employee is entitled to consult with and be represented by his/her Professional Association or Trade Union, colleague or friend.
- 3.3 The Authority's officers and advisers have no direct role in resolving any disciplinary matters - this is the responsibility of the Governing Body. The Governing Body of the school will seek advice as necessary at the informal stages of the procedure and the Strategic Director of the Children's Services Department has a right to be represented at any meeting where dismissal is being considered and will always be represented to advise the Governing Body at its meetings to consider appeals against the decisions of the Disciplinary Committee.
- 3.4 The responsibility for managing the disciplinary process within the school will rest with the Headteacher who will be the only employee empowered to issue warnings, deal with other associated action or take initial dismissal decisions in line with the Governing Body's implementation of the School Staffing Regulations 2009 (See Appendix 3). The Governing Body may also take disciplinary action and in any case will always be responsible for disciplinary action involving the Headteacher.
- 3.5 Informal action will be considered where appropriate to resolve problems. As a general rule before the formal disciplinary process is invoked, and depending on the nature of the unsatisfactory conduct, concern about the work of an employee will be expressed in the normal course of supervision. Appropriate time for

improvement should be allowed and, as appropriate, guidance, supervision and training provided. It is recommended that the employee be allowed access to support from a union/professional association representative, where appropriate during the informal action.

- 3.6 An employee will be advised of the nature of the complaint against him/her and will be given an opportunity to state his or her case before any decision is made.
- 3.7 As set out in the policy, employees and their named representative will be provided, with written copies of relevant evidence and relevant witness statements in advance of a disciplinary hearing.
- 3.8 An employee will have the right to appeal against disciplinary action taken.
- 3.9 At least 5 working days prior to the date of the hearing all parties will supply all other parties with any and all documentation and paperwork that will be referred to and relied upon at the Hearing.
- 4.0 For the purpose of this procedure "working days" shall mean Monday to Friday excluding bank holidays and begins with the day of receipt but does not include the day of the hearing.

Notice needs to be given and run, and Hearings need to be arranged in term time except for employees with 52 week contracts (unless the premises are closed) or where agreement has been reached with the employee and union representative for a different arrangement.

THE PROCEDURE

The following steps should be followed to address a potential disciplinary matter:

4. Improvement Process

Informal action should always be considered first when there are concerns about an employee's conduct. Cases of minor misconduct are usually best dealt with informally but where such action does not bring about improvement or the issue is more serious, formal action will be more appropriate.

When there is concern about the manner in which an employee is carrying out their duties and/or their general behaviour, it is anticipated that informal intervention and guidance will be the first step through which such concerns are addressed. Where this does not achieve the desired effect, the next stage would be formal management intervention, direction and guidance. Such action is not considered to be within the terms of the disciplinary procedure, however a formal record will be kept and progress reviewed. Any employees aggrieved by this process shall have the right to implement the grievance procedure.

5. Suspension

- 5.1 Where it appears that an employee may be guilty of gross misconduct or for any other reason for which it is considered that an exclusion from the school premises is necessary, the Headteacher or the Governing Body has the power to suspend an employee on normal pay. The Governing Body may decide that it is content for the Chair to undertake this function on the Governing Body's behalf (see appendix 4). Any suspension of the Headteacher will be conducted by the Chair of Governors, supported and advised by a representative from the school's HR service. **In law it cannot be assumed that suspension will be viewed as a neutral act but it should be made clear in the documentation and orally to the employee that it is intended as a neutral act, which implies no guilt. The general rule is that suspension is a neutral act and it would be for an employee to prove otherwise.**

Suspension is traumatic for the member of staff, their family, and their colleagues as well as pupils and their parents. It is, therefore, important to have, and follow, the appropriate procedure to ensure that suspension does not occur unnecessarily and to avoid potential challenges when it is believed to be appropriate and takes place.

The Local Authority's Children's Services HR Department must be informed immediately if suspension occurs and it is strongly recommended that advice is sought when considering the suspension of a staff member (refer to full advice and guidance on suspension contained in Advice & Guidance section).

It is important to consider whether there are any suitable alternatives to suspension. It may still be possible for the employee to undertake duties other than their normal role.

- 5.2 Suspension should only be considered where:

- the allegation is likely to be of gross misconduct (as defined in this policy),
- a child or children are at risk,
- an allegation of misconduct has been made against the member of staff and it is judged that their continued presence in the workplace may impede or prejudice the investigation,
- an allegation of misconduct has been made against a member of staff the nature of which could involve potential risks to pupils or other employees,
- Other relevant circumstances arise, such as Formal Competence Procedures and evidence is available that no teaching or learning is taking place, and which will lead to a recommendation to the Governing Body for the member of staff to be dismissed.

The documentation issued to the employee to confirm the suspension should

indicate which of the reasons above has been utilised to decide that suspension will be applied.

In cases of allegations of potential child abuse, if a decision not to suspend is taken, this should be clearly documented with reasons and the LA and Chair of Governors informed. Headteachers and Chairs of Governors should be aware of Derbyshire's Child Protection and other LA Procedures when dealing with allegations against members of staff. Where an employee is suspended by the Headteacher/Governing Body during the investigation of a complaint or allegation and throughout the period of suspension the employee shall receive normal pay. Where a suspended employee suffers a period of sickness absence they should still submit sickness returns and would receive the appropriate sick pay. If an employee is subsequently dismissed he/she shall not be entitled to salary other than the sum (if any) due up to the date of termination of contract, but he/she shall be allowed to retain any sum already paid to him/her during the period of his/her suspension. If he/she is reinstated there shall be full restitution of earnings.

- 5.3 Only the Governing Body may end a suspension and this power cannot be delegated to the Headteacher. The Governing Body may decide, in certain circumstances, that it is content for the Chair of Governors to undertake this function on behalf of the Governing Body. (see appendix 3) It is recognised that sometimes there may be a recommendation that a suspension be lifted without the matter ever having being referred for a disciplinary hearing. Please refer to the guidance on lifting suspensions.

6. Management Investigation

Except in cases where the Headteacher is the subject of possible disciplinary action, the Headteacher or appropriate member of Senior Leadership Team, who is not a party to the allegation, a witness or subject to any other conflict of interest, shall act as the Investigating Officer. In certain cases where, for example, the Headteacher is likely to be a key witness at the Hearing(s), the Governing Body may commission another individual to act as the Investigating Officer. This could be someone external to the school, like an HR Consultant from the Local Authority.

Where the Headteacher is the subject of an allegation of misconduct the Chair of Governors (or other nominated governor) will be the investigating officer, supported by a member of the school's HR service. The investigating officer will be required to collect statements in writing from any witness who may be called to support their statements orally at any subsequent disciplinary hearing.

- a) The Investigating Officer will formally write to all those individuals who are required to attend the investigation interview, informing them of the nature of the events being investigated (including the date and time of any specific incident) the date, time and venue for the interview, and giving them the opportunity to be accompanied by a Trade Union/Professional Association representative, friend or colleague to give advice and make representations

where necessary.

- b) The employee should be informed in writing that an allegation of misconduct which requires investigation has been received and that an investigatory officer has been designated (see Advice & Guidance section, paragraph 5). If there is a specific allegation being made against an employee, then that individual should be made fully aware of the allegation prior to the Investigation interview in order that s/he may prepare a response to the allegation. The employee must also be informed of the requirement to co-operate with the investigation, such as attending the investigatory interview.
- c) The Investigating Officer will give the employee five working days notice of the date, time, and venue of the investigation interview.

Where the Headteacher delegates the role of investigating officer to another colleague they should clarify the extent of their responsibility. That is, whether they are to report back to the Headteacher, so that the Headteacher can make the decision on what action to take at the end of the investigation, or whether the investigating officer should write to the employee with their decision on the outcome of the investigation. Where the Headteacher has additional information relevant to the context of the employee they will wish to make a determination on the next steps to be taken on the basis of the findings of the management investigation.

In most cases there will be one of three outcomes:

- i. Complete exoneration from the allegations made. In this case a letter should be sent to all employees involved thanking them for their co-operation throughout the Management Investigation process.
- ii. Where the Improvement Process has not already been applied and the nature of the allegation does not preclude this, an assessment that there is a potential case of misconduct and an informal or formal management intervention/direction and guidance, through the improvement process, should be undertaken.
- iii. A recommendation that there are sufficient grounds for a potential case for misconduct or gross misconduct to be made and that a disciplinary hearing should be held.

In most cases where iii applies, the investigating officer will have reported to the Headteacher who will consider whether there are sufficient grounds that may warrant disciplinary action, considering whether;

- a) the seriousness of the allegation merits it; or
- b) previous management intervention through the Improvement process has been ineffective;

- c) formal warning(s) have been ineffective; or
- d) there is a further unconnected event of unsatisfactory work or misconduct

The employee will be informed of the findings of the investigation and the decision on outcome in writing.

Where iii applies, the employee should be advised that a disciplinary hearing is going to be held, and that s/he will be notified of the date, time and venue of the disciplinary hearing in the near future. A copy of the disciplinary procedure must be provided to the employee.

For cases of **misconduct**;

- If the Headteacher has not been involved in the investigation of the case, they may hear the case alone or invite other governors to join them on a panel depending on the Governing Body decision on levels of delegation (see Appendix 3).
- Where the Headteacher has been involved in the investigation or has received a report and reviewed the findings, a disciplinary panel should be convened to hear the case. The Headteacher should not be a member of the panel but may present the case, with or instead of, the Investigating Officer.

For cases of **gross misconduct**;

- The Investigating Officer will report to the Headteacher (where the Headteacher is not already the investigating officer) who will determine whether a case of gross misconduct will be referred to a hearing.
- Although, within regulations, the Headteacher could still hear the case, when joined by other governors, it is very strongly recommended that a disciplinary panel of governors is convened (unless it is agreed by all parties that the Headteacher hears the case)
- Where the allegation is against the Headteacher and an independent investigating officer has been commissioned, he/she will report to the Chair of Governors to determine if a case will be taken to a hearing.

7. Formal Disciplinary Hearing Procedure

Hearings at which disciplinary action is to be considered shall occur as soon as possible after the event or action which has caused concern and only after an investigation has taken place and the employee has been given ten school working days' notice in writing. Consideration may be given to organising hearings during the school holidays where the employee is not restricted to term time working.
(See guidance on arranging formal meetings)

The employee will be informed of:

- The conduct which appears to justify disciplinary action.
- The right of the employee to be accompanied by a representative of a recognised Trade Union, Professional Association or friend to give advice and make representations where necessary.
- That they can call witnesses and present documents relevant to their defence (see Advice & Guidance, paragraph 6).

The Investigating Officer will supply copies of all documents to be relied upon at the Hearing to the Committee, the employee, and their named representative at least 5 working days prior to the date of the hearing.

Similarly the employee and or their named representative will supply copies of all documents to be relied upon at the Hearing to the Committee and the Investigating Officer at least 5 working days prior to the date of the hearing.

At the hearing, the Headteacher or Disciplinary Committee shall consider only the facts presented in the presence of the employee and have the power to deal with the case in one of the following ways:

- i. Complete exoneration and reinstatement (where employee has been suspended).
- ii. Management intervention and guidance, through the Improvement Process and lifting of suspension, where relevant.
- iii. In exceptional circumstances, following request from the employee, he/she may be granted an opportunity to resign as an alternative to dismissal. (Employees should be strongly advised to consult with their trade union or professional association representative if considering making such a request). Where an employee is to be dismissed as a result of misconduct relating to child welfare and safeguarding they must be reported to the DBS and NCTL, whether or not they resign before dismissal.

- iv. Issue of a warning.
- v. Granting an opportunity to accept a reduction in position or status as an alternative to dismissal.
- vi. Granting, in appropriate cases, opportunity to obtain medical advice or treatment before any further decision is taken.
- vii. Dismissal.

The decision of the Disciplinary Committee/Headteacher will be communicated to the employee and their representative as quickly as possible and in writing within 5 working days.

7.1 Sanction

Where the Headteacher/Disciplinary Committee determine that the shortcomings in the employee's conduct, established by the hearing, would most appropriately be addressed through the improvement process then the outcome of the case will be a referral to this procedure. Where the formal improvement process has already been applied for similar circumstances, it would rarely be appropriate for that procedure to be utilised again.

Otherwise, where the Headteacher/Disciplinary Committee has heard the case and determined that, on the balance of probability, the allegation against the employee has been upheld, then the Headteacher/Disciplinary Committee may deliver one of the following sanctions (also depending on the level of delegation of disciplinary decisions determined by the Governing Body – see below):

- A written warning
- A final written warning
- That the employee should be dismissed

*The Governing Body will determine in its delegation of disciplinary matters whether the Headteacher is empowered to make initial dismissal decisions. Where this is not the case, for allegations of serious misconduct or in other appropriate circumstances, the matter will be referred for consideration to a Disciplinary Committee of the Governing Body. The Committee will comprise of three Governors and will decide whether or not to issue a warning, which may be written or a final written warning or, in very serious cases, a request to the LA to issue notice of dismissal. The Strategic Director of the Children's Services Department or his/her representative have a right to be involved in all meetings where dismissal is considered and may act in an advisory capacity to the Committee.

A formal warning or resolution to request the issue of a notice of dismissal will:-

- a) be in writing or confirmed in writing by the Headteacher or Clerk to the Governors on behalf of the Governing Body as appropriate;
- b) be delivered by hand or special delivery;
- c) in the case of formal warnings explain that they will be recorded in the employee's personal file;
- d) explain the reasons for the disciplinary action;
- e) explain the right of appeal;
- f) Be copied to the employee's Trade Union or Professional Association representative.

The Headteacher will maintain a Register of Disciplinary Action which will contain a copy of any written warning issued to employees. Where a sanction is issued to the Headteacher, the Chair of Governors is responsible for ensuring that the matter is entered on the register appropriately and removed in line with the Disciplinary Committee's decision. During the absence of the Headteacher, the deputy/acting Headteacher is responsible for the maintenance of the register.

7.2 Expiry of Disciplinary Action and Expunging of Records

Where an employee completes a period of 12 months satisfactory service, or longer period if specified when the warning was issued, following a formal warning, the **warning** will be expunged from the Register of Disciplinary Action, the employee and their representative will be notified to that effect.

Details of spent warnings shall remain in personal files. In line with the DfE guidance on 'safer recruitment' details of disciplinary warnings, spent or live, will be included in references where the misconduct affected adversely the safety and wellbeing of children.

If a Headteacher/Governing Body considers that a disciplinary warning should not be automatically expunged, this should be made clear when the warning is issued. Any arrangements for a review of the warning should be made clear. The employee should have the right to make representations for its expunction and to appeal any decision not to expunge a warning.

Substantiated allegations of harm to the safety and wellbeing of children must be kept in a confidential personnel file and a copy provided to the individual. The record should be retained until the individual has reached normal retirement age or for a period 10 years from the date of the allegation, if that is longer. The record will comprise a comprehensive summary of the allegation, details of how

the allegation was followed up and resolved, including a note of any action taken and decisions reached. The purpose of the record is to enable accurate information to be given in response to any future request for a reference, where appropriate. It will provide clarification in cases where future DBS checks reveal information about an allegation that did not result in criminal conviction and will help to prevent unnecessary re-investigation, if an allegation re-surfaces.

8. Appeals

In the event of an appeal against the decision of a Headteacher or the Disciplinary Committee, the complainant should do so in writing, following the issue of a written formal warning or a decision of the Disciplinary Committee. Normally the grounds for appeal will be one or more of: procedural concerns, the substance and basis of the decision, the severity of the sanction. The employee or their named representative must set out clearly the grounds of the appeal within 10 school working days from the receipt of the written confirmation of the relevant decision.

The matter will be referred to the Disciplinary Committee where the Headteacher has issued the initial sanction, and to the Appeals Committee or full Governing Body (excluding all members of the Disciplinary Committee and any other Governors involved in the case), where that Committee has made the decision that is now the subject of the appeal. The meeting will be held within fifteen working days (or by mutual agreement as soon as practicable thereafter) of the receipt of the formal notice of appeal. The employee will be informed of the place, date, time and purpose of the meeting (see Advice & Guidance, paragraph 7).

- 8.1 The employee will be entitled to attend before the Governing Body with his/her Professional Association/Trade Union representative or friend if he/she so wishes to present his/her appeal.
- 8.2 If the appeal relates to a dismissal where the Local Authority is the employer the Strategic Director for Children's Services Department or his/her representative shall be entitled to attend the meeting for the purpose of offering advice to the Governing Body.
- 8.3 The Governing Body may uphold the appeal or confirm the original decision and may decide to impose a lesser penalty, but cannot impose a more severe penalty.
- 8.4 An appeal decision of the Governing Body will be final.
- 8.5 Appendix 2a and 2b, set out the procedure to be followed by the Disciplinary Committee and the Appeals Committee of the Governing Body respectively.

9. Dismissal

In respect of an employee working solely at the school and where the Authority is the employer, the Authority is under a duty to issue a notice of dismissal within 14 days of the Governing Body notifying the Authority of the decision.

For a person not employed solely to work at the school, the Authority will be required to withdraw that person from work at that particular school.

Once a decision has been taken to dismiss an employee the employer is responsible for providing a written statement of reasons for the dismissal as required by law. It follows that where the Local Authority is the employer the reasons for the dismissal must be clearly set out in the Governing Body's notification to the Authority.

10. Trade Union and Professional Association Officials

No disciplinary action shall be taken against an official of a recognised Trade Union or Professional Association who is an employee until the circumstances have been discussed with a full-time or designated district or area official of the Trade Union or Professional Association concerned.

Appendix 1

Disciplinary Rules

In accordance with the requirements of the Employment Protection (Consolidation) Act as amended by the Trade Union Reform and Employment Rights Act 1993, and the ACAS "Code of Practice on Disciplinary and Grievance Procedures" this is to notify you of the school's disciplinary rules.

(a) Gross Misconduct

Gross Misconduct is generally seen as misconduct serious enough to destroy the contract between the employer and employee making any further working relationship and trust impossible. An allegation of gross misconduct may therefore lead to immediate suspension from work, pending investigation. If, after due consideration, the allegations are substantiated, the employee will be dismissed without notice unless there are any mitigating circumstances. Examples of gross misconduct relating to all employees include:

- i. Unauthorised removal, possession or theft of property belonging to the school, a fellow employee, pupil, or member of the public.
- ii. Acts of violence including the physical assault of a fellow employee, pupil or member of the public.
- iii. Falsification of qualifications or information which are a statutory or essential requirement of employment or which result in additional remuneration.
- iv. Sexual misconduct at work.
- v. Deliberate damage to, or serious misuse of, school property.
- vi. Deliberate falsification of records attendance sheets, bonus sheets, subsistence and expense claims etc.
- vii. Disclosure of confidential matters to public sources, where not required for employee relations purposes; (including disclosure to the third party, without authority of personal confidential information acquired during the course of employment at the school) or the unauthorised use or disclosure of any computer-held or computer-generated information from which a living individual can be identified.
- viii. Acceptance of bribes or other corrupt practices and other offences of dishonesty.

- ix. Conviction for a criminal offence unconnected with the school but which removes an employee's acceptability to remain in employment, e.g. sexual abuse of a child, drugs offence etc.
- x. Serious breaches of health and safety rules including deliberate damage to, or misappropriation of, safety equipment.
- xi. Serious negligence, which causes or might cause unacceptable loss, damage or injury.
- xii. Holding unauthorised paid employment during paid school time.
- xiii. Failure to meet the registration requirements of a statutory regulatory body.
- xiv. Serious incapacity through alcohol or being under the influence of illegal drugs, except where the case would be more appropriately dealt with under separate procedures.
- xv. Serious acts of insubordination.
- xvi. Bullying, intimidation, victimisation or other forms of harassment.
- xvii. Downloading or distributing pornographic, obscene, offensive or illegal material.
- xviii. Serious maladministration of statutory tests and examinations.
- xix. Serious misuse of the School's name.
- xx. Failure to observe relevant Local Authority Safeguarding policies and procedures plus the Financial Regulations.

(b) Other Misconduct

The great majority of breaches of disciplinary rules will not be sufficiently serious to warrant dismissal without previous warning. Examples of offences which will not normally result in dismissal without previous warning are listed below and relate to all employees.

- i. Refusal to comply with the reasonable and lawful instructions of management.
- ii. Negligence in the performance of duties.
- iii. Negligence in the administration of statutory tests and examinations.
- iv. Failure to attend work regularly and punctually during agreed working hours; failure to report inability to attend work due to illness for any other reason,

promptly, and in accordance with the school's procedures; unreasonably prolonging absence by neglecting to act on medical advice.

- v. Absenteeism and leaving the workplace without permission.
- vi. Misconduct in relationships with other members of staff, pupils, or members of the public, to include conduct which is not in accordance with the principles of mutual trust, respect and courtesy.
- vii. Swearing or abuse of members of staff, pupils, or members of the public.
- viii. Being under the influence of drink or other intoxicants sufficient to affect work performance.
- ix. Non-compliance with sickness pay scheme.
- x. Falsification of qualifications or information other than those which are a statutory requirement for employment.
- xi. Abuse of position – using an official position for private advance or for the private advantage of some other person.
- xii. Criminal offences – where the offence/alleged offence has employment implications but is not sufficiently serious to constitute gross misconduct.
- xiii. Employees whose posts are subject to Disclosure & Barring Service– failure to notify line management of any activity likely to result in subsequent criminal investigation, conviction or police caution being served. For those employees subject to the provisions of the Disqualification under the Childcare Act regulations – failure to report a change in status potentially affecting their ability to work with the relevant age groups of children.
- xiv. Damage to school property – deliberate damage, misuse, or use without authority of the property of the school, fellow employees, or other members of school community.
- xv. Discrimination – against a member of the public or colleagues on grounds of sex, sexual orientation, marital status, age, race, creed, colour, ethnic or national origin or disability.
- xvi. Failure to observe the policies of the school and relevant Local Authority Safeguarding policies and procedures plus the Financial Regulations, school's Code of Conduct and other applicable rules.
- xvii. Safety – failure to act in accordance with applicable Health and Safety Policies; any act or omission on the part of the employee which endangers the

health or safety of themselves, other employees, school users or members of the public.

The lists of examples of breaches of conduct are not comprehensive or exhaustive but should provide an indication of the standards required. The extent and scale of the allegations will be considered when deciding whether or not they are considered to be misconduct or gross misconduct.

Appendix 2a

Procedure of Disciplinary Committee

1. The Employee shall be given at least 10 school working days' notice in writing of the date, time and place of the hearing and shall be entitled to be represented by his/her Trade Union or Professional Association representative or friend and shall be able to call witnesses and present documents relevant to his/her defence (see Appendix 3).
2. If the case is to be heard by a Disciplinary Committee, which does not include the Headteacher and the Headteacher is not presenting the case, it may be appropriate for the Headteacher to attend as a witness to provide information to the panel on school procedures etc. but they would withdraw once their contribution had been received and would not attend the panel's deliberations at the conclusion of the case.
3. Copies of all documents to be relied upon at the hearing shall be submitted to the Committee and the parties concerned at least 5 working days prior to the date of the hearing.
4. The Investigating Officer, Headteacher, nominated Governor to put the case in the presence of the employee and to call witnesses.
5. The employee, or representative, to have the opportunity to ask questions of the Investigating Officer, Headteacher, nominated Governor on the evidence given by him/her and any witness whom he/she may call.
6. The members of the Committee to have the opportunity to ask questions of the Investigating Officer, Headteacher, nominated Governor and witnesses.
7. The employee to put his/her case in the presence of the Investigating Officer, Headteacher nominated Governor and to call such witnesses as he/she wishes.
8. The Investigating Officer, Headteacher, nominated Governor to have the opportunity to ask questions of the employee and his/her witnesses.
9. The Committee to have the opportunity to ask questions of the employee and his/her witnesses.
10. All witnesses will withdraw at this point.
11. The Investigating Officer, Headteacher, nominated Governor and then the employee to have the opportunity to sum up their case if they so wish.

12. The Investigating Officer, Headteacher, nominated Governor and the employee to withdraw.
13. The Committee to deliberate, only recalling the Investigating Officer, Headteacher, nominated Governor and the employee to clear points of uncertainty on evidence already given. If recall is necessary, both parties are to return notwithstanding that only one may be concerned with the point giving rise to doubt.
14. The Committee will announce its decision to the employee personally and to his/her representative, Headteacher and/or the nominated governor. This will be confirmed in writing within five working days.

Appendix 2b

Procedure of Appeals Body

1. The Employee shall be given at least ten school working days' to submit the grounds for an appeal in writing. The time begins on the day of receipt of written confirmation of the decision of the Headteacher or Disciplinary Committee. (The date of the deadline to submit an appeal should be included in the letter.)
2. The Appeals Body should convene within 15 working days of receiving the grounds of appeal or as soon as is practicable. The employee shall be given at least 10 working days' notice in writing of the time, place of the hearing and shall be entitled to be represented by his/her Trade Union or Professional Association representative or friend and shall be able to call witnesses and present documents relevant to his/her case.
3. Copies of all documents to be relied upon at the hearing shall be submitted to the Appeals Body and the parties concerned at least 5 working days prior to the date of the hearing.
4. The employee/representative to put his/her case for appealing the outcome of the Disciplinary Hearing in the presence of the Investigating Officer, Headteacher, nominated Governor and to call such witnesses as he/she wishes.
5. The Investigating Officer, Headteacher, nominated Governor to have the opportunity to ask questions of the employee and his/her witnesses.
6. The members of the Appeals Body to have the opportunity to ask questions of the employee and his/her witnesses.
7. The Investigating Officer, Headteacher, nominated Governor to put his/her case in the presence of the employee and his/her witnesses.
8. The employee/representative to have the opportunity to ask questions of the Investigating Officer, Headteacher, nominated Governor and his/her witnesses.
9. The members of the Appeals Body to have the opportunity to ask questions of the Headteacher and his/her witnesses.
10. All witnesses will withdraw at this point.
11. The employee/representative to have the opportunity to sum up his/her case if they so wish.
12. The Investigating Officer, Headteacher, nominated Governor to have the opportunity to sum up their case if they so wish.

Appendix 2c

**DISCIPLINARY PROCEDURE
TIMELINES/SAMPLE LETTERS**

