

Staff Disciplinary Policy



LONDON EAST ACADEMY & AL MIZAN SCHOOL

ISLAMIC SECONDARY SCHOOL FOR BOYS & ISLAMIC JUNIOR SCHOOL

Date agreed	Chair of Governing Body	Head Teacher	Review
Sep 2020	Hussain Shefaar	Askor Ali	Review as necessary

DISCIPLINARY POLICY

Purpose

This Policy is designed to:

- a) Assist Head Teachers/Principals/Governors with their responsibility to ensure consistent and fair treatment of all employees.
- b) Help and encourage all employees to achieve and maintain satisfactory standards of conduct.

Principles

- a. No disciplinary action will be taken against any staff until a case has been fully investigated.
- b. At every stage in the procedure the employee will be advised of the nature of the allegations against him/her and given the opportunity to state his/her case before any decision is made.
- c. At all stages, the employee has the right to be accompanied by his/her representative or a work colleague, at any disciplinary hearing or investigation.
- d. No employee will be dismissed for a first breach of discipline except in the case of gross misconduct.
- e. An employee has the right to appeal against any disciplinary penalty imposed beyond oral warning stage.
- f. Disciplinary and appeal hearings will take place either during the normal working day of the employee or after school working hours.
- g. If the disciplinary hearing is adjourned, the newly arranged hearing will be arranged within 5 working days unless otherwise agreed by both parties.

(**NB**In cases where there are child protection issues, the child protection procedure will be followed.)

The Procedure

It is often appropriate for minor misconduct to be dealt with on an informal basis. In serious cases it may be necessary to suspend the employee while an investigation is conducted. In all circumstances the suspension will be on full pay. Suspension is a neutral act.

Stage 1 – Concern Meeting

Headteacher will arrange to meet the member of staff and highlight the concern in an informal setting. Staff will have an opportunity to challenge any misunderstanding or justify reason for failure to meet professional standards of behaviour. If through consultation it is found that there was in fact misunderstanding, no further action will be taken. If the claim is unchallenged by the staff, the staff will be advised to adhere to high professional standards in their future role. If the act is in violation of the Child Protection Policy, then the Child Protection Procedure will be followed.

Stage 2 – Informal Meeting

If the same member of staff is found to have committed the same/similar act and therefore not adhering to professional standards of expected behaviour, the staff will be issued with a letter of concern. Letter will be put into the staff personnel record. Staff will be informed that if a similar act is committed in the future, it will lead to an Oral Warning.

Stage 3 – Oral Warning

If conduct does not meet acceptable standards (or is a repeat of an act committed in Stage 2) the employee will be given written notification of a disciplinary hearing at least 10 working days prior to the meeting.

Following the hearing a warning will be issued by the Headteacher and the employee notified of their right of objection. In the case of the Headteacher the hearing will be conducted and any warning issued by the Chair of Governors or a representative from the governing body. Oral warning will be kept in the staff personnel file for a period of 6 months. This stage will be undertaken and monitored by the Headteacher in the case of staff other than the Headteacher and by the Chair of Governors if the Headteacher is the member of staff concerned. The letter of notification of the warning will clearly identify the date the warning would normally end.

Stage 4 – Written Warning

If the offence is a serious one or if a further offence occurs following an oral warning a hearing will be convened and the employee notified in writing of the hearing no later than 10 working days prior to the hearing.

At this stage the Headteacher will consider the case.

If following the hearing a written warning is issued by the Headteacher, a copy of the warning will be kept on the employee's personal file and only removed after a 6 month period by the Headteacher subject to satisfactory conduct. The right of appeal will be clearly notified to the employee. An employee who wishes to appeal against the decision of the Headteacher should identify the grounds for appeal in writing and submit the document to the Clerk of Governors who will arrange for an appeal committee of the Governing Body to consider the appeal.

Stage 5 – Final Written Warning

If the conduct continues to be unsatisfactory or if the misconduct is sufficiently serious to warrant only one warning the employee shall be notified of the disciplinary hearing no later than 10 working days prior to the hearing. At this level the hearing will be by a panel of Governors.

It may be necessary, following the hearing, to issue a final written warning. However, the committee could decide to issue a lower level warning if that is considered appropriate. If a final written warning is issued, the warning must clearly state the details of the complaint, that dismissal may result if there is no satisfactory improvement and also advise of the right of appeal. The appeal process will require the employee to identify in writing the grounds for appeal. The documents should be forwarded to the Clerk to Governors who will arrange for a group of Governors to hear the appeal.

A copy of the final written warning will be kept on the employees file but will be spent after a 6 month period of satisfactory conduct.

Stage 6 – Dismissal

If the conduct of an employee is so serious that dismissal is considered, the Personnel Committee of the Governing Body will be called to allow the employee to make representation. If the decision of the personnel committee of the Governing Body is to recommend dismissal, they must consider whether the dismissal is:

With notice, or payment in lieu of notice, in accordance with the employee's contract of employment.

Or

In cases of gross misconduct, without notice (summary dismissal).

At this stage the employee will be issued with the appropriate notice of the ending of employment. The Appeal Hearing will be held during the period of notice or in the case of dismissal without notice after the ending of the employment.

Appeals

An employee who wishes to appeal against dismissal to a Personnel Committee of the Governing Body following a disciplinary decision should inform the Clerk to the Governors in writing with the grounds for appeal clearly identified.

General Teaching Council

If a teacher is dismissed under the terms of the disciplinary procedure, the General Teaching Council must be informed by the Headteacher.

Appendix 1 - DISCIPLINARY PROCEDURE

Stage 1

Concern Meeting
Headteacher

Stage 2

Informal Meeting
Headteacher

Stage 3

Oral Warning
Headteacher

Stage 4

Written Warning Meeting
Headteacher
(Chair of Governors)
Appeal to Governors' Appeals
Committee

Stage 5

Final Written Warning Meeting
(Governors)
Appeal to Governors' Appeals
Committee

Stage 6

Dismissal
Dismissal Committee

Notice

Notice of Dismissal Issued

Appeals

Appeals Dismissal Committee