

# HUMAN RESOURCES

## Disciplinary and Dismissal Policy and Procedure for Professional Support Staff

### 1. Policy

1.1 The School's aim through this policy is for managers to help and encourage employees to achieve and maintain appropriate standards of conduct, by means of addressing problems informally as soon as they arise.

1.2 Where informal action is not effective or appropriate this disciplinary procedure is a formal means to encourage employees to achieve and maintain appropriate standards of conduct. It enables individual cases to be resolved fairly, consistently and in a timely manner.

1.3 This policy wi(cy)-1W\* /F1 12 Tf1 0 0 1ff8 1 129.74 484.87 Tm0 g0 G(T)4(h)-32184.87842.r

to do which would be dealt with through the School's Capability Policy and Procedure for Professional Support Staff.

Underperformance that can be attributed to a medical condition or health concern that may more appropriately be dealt with under the Schools Policy and Procedure for Sickness Management.

#### 4. Overseas Staff









inappropriate comments or behaviour  
failure to follow procedures

11.2

disciplinary hearing will be referred to as the 'Chair'. It may, in certain circumstances, be appropriate for a manager other than the immediate line manager to undertake the disciplinary investigation.





2. The issue(s) should be dealt with informally.
3. There is a disciplinary case to answer.

14.10 This manager will inform the employee of next steps in writing.

14.11 Where it is established that there is a disciplinary case to answer, the employee should be invited to a disciplinary hearing. The employee will be given at least 5 working days' notice of the hearing.

## 15. Disciplinary Hearings

15.1 Where it is considered that a disciplinary hearing is necessary the Chair of the disciplinary hearing shall write to the employee, normally within ten working days of receiving the investigation report.

15.5 The employee shall provide their HR Partner with the names of her/his companion or witnesses at least forty-eight hours before the hearing, if appropriate.

15.6

Actions taken in any previous similar case;  
The explanations or extenuating circumstances  
provided by the employee; and most importantly;  
Whether the intended action is reasonable under the  
circumstances.

### 16.2.3 No Further Action

Applied exceptionally where the facts of the case indicate that there is a case to answer but where the Chair determines that the existence of fundamental contributory factors would make the

## 17.2 Stage 2 – Final Written Warning

17.2.1 A Final Written Warning would be appropriate for a repetition of an act of misconduct for which the employee has previously received a written warning under Stage 1.

17.2.2 A Final Written Warning may also be appropriate for acts of misconduct so serious that the School would wish to dismiss the employee were they to be subsequently repeated.

17.2.3 A final warning will remain on the employee's file for a period of twelve months. It will give details of the misconduct, the improvements required and timescales. It will then warn that dismissal under Stage 3 of the procedure will be considered if there is no satisfactory improvement or a repeat of misconduct and will advise on the right to appeal, along with a copy of the Appeals Procedure.

## 17.3 Stage 3 – Disciplinary Action, Dismissal or Summary Dismissal

Dismissal applies to repetitions of minor, serious or major misconduct respectively. Summary dismissal applies to acts of 'gross misconduct' only.

### 17.3.1 Dismissal

17.3.1.1 If conduct is still unsatisfactory after a warning under Stage 2 of the procedure, the employee will be provided with a written explanation of the reasons for dismissal by the hearing manager.

17.3.1.2 The employee will receive pay in lieu of her/his contractual notice, and any other outstanding monies due to them. For calculation purposes, the employee's last day at work will be the date that the decision was made by the disciplinary panel.

### 17.3.2 Summary Dismissal

17.3.2.1 Summary Dismissal only applies to acts of gross misconduct. Please see section 6.4 for examples of gross misconduct. Because of the nature of alleged acts of gross misconduct, the employee will normally be suspended from work on full pay, whilst the Investigating Officer completes an investigation.

17.3.2.2 If it is found that an act of gross misconduct has taken place,

the employee will be summarily dismissed without notice, or pay in lieu of notice and the decision will be confirmed in writing as in cases of dismissal. The last day of service will be the date that the decision was made by the disciplinary panel.

#### 17.4 Actions short of dismissal

17.4.1 In serious cases, where dismissal would usually result, actions short of dismissal may be considered. Actions short of dismissal would normally be considered in conjunction with a Final Written Warning. Actions Short of Dismissal may include:-

Suspension with a partial or total loss of pay for a limited period of time, not exceeding 10 days.

Modification of duties or role

Demotion

Withholding increments

Transfer to another available role within the School.

Movement through the stages of the disciplinary procedure will not necessarily be in relation to the same offence. The cumulative progress of the process will be determined by the nature and seriousness of the offences.

## 18. Appeals and Grievances

18.1 Employees are entitled to appeal against any disciplinary action taken under the disciplinary procedure by using the Appeals Procedure for Professional Support Staff.

18.2 Where a grievance is raised in connection with the disciplinary procedure advice should be sought from Human Resources Department about how to proceed.

### Accessibility

If you require any document in an alternative format, for example, in larger print, please contact Human Resources.

## Annex A - The procedure at disciplinary hearings

1. The Chair will explain the purpose of the hearing, introduce the parties and outline the procedure.
2. The Investigating Officer will then present her/his case\*

