

Barnardiston Hall Preparatory School

Staff Disciplinary Procedure

In any organisation, it is essential that certain standards and performance must be maintained to protect the smooth running of the organisation and the well-being of its employees.

The disciplinary procedure at Barnardiston Hall Prep School is designed to ensure fair treatment for those whose job performance is below requirements and those involved in breaches of discipline.

Depending upon the seriousness of the case, the disciplinary procedure may be entered into at any of the stages outlined below. Except for instances of gross misconduct, dismissal will not be the first step.

In general, particular shortcomings on the part of an employee in meeting job requirements or standards will be initially brought to his or her attention by the immediate supervisor in informal conversations accompanied by the offer of assistance towards achieving improvement.

Investigatory Process

Except in the case of a Safeguarding matter (which will be investigated by the Headmaster / DSL), the following procedure will take place should an allegation of misconduct be made against a member of staff:

- 1 Statements will be taken from the person making the accusation of misconduct together with statements from any other person present at the time of the alleged incident.
- 2 The person against whom the allegation is being made will be informed of the nature of the allegation and will be asked to write a statement giving their version of events.
- 3 All statements, together with any other evidence, will be looked at by Mrs Angela Gregory (Bursar) and Mrs Lesley Gundersen (HR) unless the allegations involve them, in which case the matter will be investigated by Mrs Sandeep Shabir (Broadlands Hall Group). The findings of this initial investigation will be passed to the Headmaster.
- 4 If the Headmaster believes that there is a case to answer, the member of staff will be asked to come in to the Office for an initial investigatory meeting. Following this meeting, Mrs Gregory and Mrs Gundersen will be able to advise the Headmaster as to their findings and the Headmaster will decide whether or not there is a case to answer and, if so, a Disciplinary Meeting will be convened which will be chaired by either the Headmaster or the Bursar.

Guidelines for the conduct of Disciplinary Meetings:

- 1 Employees have the right to be accompanied by a fellow employee, if they so wish, at any meeting held under the disciplinary procedure.
- 2 The Chair will state the reasons for invoking the disciplinary procedure, the disciplinary action to be taken and the corrective action required from the employee, together with a specified date by which acceptable improvement should be made.
- 3 Full opportunity will be given for the employee to state his or her case.
- 4 The employee will be advised of the full disciplinary procedure, including the provisions for appealing against disciplinary action, and the consequences that will follow if acceptable improvement is not made.

Stages of the Disciplinary Procedure

Stage 1 - Verbal warning

Should an employee's conduct or performance remain less than satisfactory after an informal warning, the situation will be formally reviewed with the Headmaster, who will talk to him or her about his or her shortcomings and suggest ways in which he or she might put these right. The Headmaster will keep a written record of this meeting.

Stage 2 - Written warning

If the employee's conduct or performance remains less than satisfactory in relation to the agreed improvement plan made at Stage 1 or in more serious cases, the situation will be formally reviewed with him or her by the Headmaster.

Following this meeting, the employee will receive from the Headmaster a letter recording the nature and outcome of the disciplinary meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of improvement and deadline dates for achievement and a copy will be held on the employee's personal file.

Stage 3 - Final written warning

If the employee's conduct or performance fails to meet the standards established at Stage 2 or in more serious cases, the situation will be reviewed with the employee by the Headmaster.

Following this meeting, the employee will receive from the Headmaster a letter recording the nature and outcome of the disciplinary meeting. The employee will be asked to sign a copy of the warning letter to confirm understanding of the terms of the letter. The letter will clearly state a plan of improvement and deadline dates for achievement and a copy will be held on the employee's personal file.

Stage 4 - Dismissal

If the employee's conduct or performance fails to meet the standards established at Stage 3 or in more serious cases, the situation will be reviewed with the employee by the Headmaster or the Bursar. The decision will be confirmed to the employee in writing and this letter will also confirm to whom any appeal should be made and details of the procedure to be followed.

Summary dismissal

In cases of gross misconduct, summary dismissal may be the only reasonable course of action for the School. Examples of actions which are likely to be treated as gross misconduct include fighting at work or hitting a colleague, smacking a child, drunkenness, theft.

When gross misconduct is suspected, the employee will normally be suspended on full pay for up to five working days to allow for an appropriate investigation of the case. This investigation will be conducted by a nominated senior member of staff (normally neither directly responsible for the individual, nor necessarily within the employee's workplace) to ensure impartiality. This investigation will include a meeting with the employee. Following the investigation, the employee will be asked to attend a meeting with the responsible senior member of staff. If the investigation has upheld the case of gross misconduct, the employee will be summarily dismissed without notice or pay in lieu. The decision will be confirmed to the employee in writing and this letter will also confirm details of the appeal procedure.

Referral to DBS

Should a member of staff be dismissed (or if they would have been dismissed had they not resigned) for any reason connected with the safety of children, they will be immediately referred to the **DBS**
<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

Referral to TRA

Should a member of staff who undertakes teaching work in the School be dismissed for professional misconduct, they will be referred to the TRA <https://www.gov.uk/guidance/teacher-misconduct-referring-a-case>

Appeals against disciplinary action

1. Any appeal against disciplinary action must be made in writing within five working days of the disciplinary action.
2. An appeal against a written warning should be made to the Headmaster stating the reasons for non-acceptance of the warning. A nominated individual will carry out a full review of the facts, which may include a further meeting with the employee and management. Following this review, the nominated individual will reply in writing to the employee's comments.
3. An appeal against dismissal should be made to the Headmaster. He, or a nominee, will carry out a full review of the facts and will reply in writing to the employee within five working days.

Records

A record of any disciplinary action taken will remain on the employee's personal file for three years and then expunged, subject to good conduct in the interim.

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