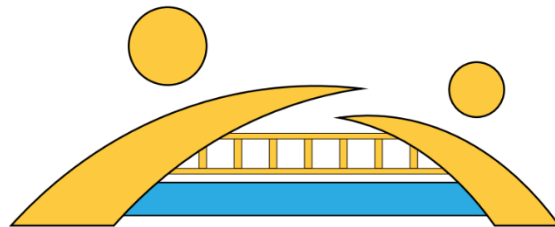


CYNGOR SIR POWYS COUNTY COUNCIL

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Disciplinary Procedure for Teachers

	Enw / Name	Llofnod / Signature	Dyddiad / Date
Cadeirydd / Chair of Governors	Cllr Gareth Jones	<i>Gareth D Jones</i>	13.12.22
Pennaeth / Headteacher	Huw Lloyd-Jones	<i>H. Lloyd Jones</i>	13.12.22
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Polisi statudol i'w adolygu pob 2 flynedd/Statutory Policy to be reviewed every two years Canllawiau: Gweithdrefnau disgyblu a diswyddo staff ysgol LLYW.CYMRU Guidance: Disciplinary and dismissal procedures for school staff GOV.WALES			

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This document sets out the disciplinary procedure for schools. This policy refers to all teachers and those on the leadership spine up to Headteacher.

A separate policy exists for those who are appointed to Headteacher grade.

1. Introduction

- 1.1. Disciplinary procedures are necessary for promoting fairness and order in staff relations. This document constitutes a collective agreement between Powys County Council and its recognised teacher associations, and has been drawn up in order to ensure that all teachers who may become subject to disciplinary action are dealt with in a fair and equitable manner.
- 1.2. The disciplinary procedure reflects:
 - the provisions of the Employment Act 2002 (Dispute Resolution) Regulations 2004 which require that discipline, dismissal and grievance procedures include certain minimum statutory steps;
 - the provisions of the Staffing of Maintained Schools (Wales) Regulations 2006;
 - NAW circular 45/2004 – “Staff Disciplinary Procedures in Schools”
 - the specific statutory obligations on school governing bodies in respect of disciplinary matters; and
 - the provisions of the ACAS Code of Practice on Disciplinary and Grievance Procedures.
- 1.3. Governing bodies should adopt the procedure set out in this document and ensure that it is readily available to and understood by management and staff at the school. Governing bodies should also pay due regard to the National Assembly for Wales Circular number 45/2004 when involved in staff disciplinary matters.
- 1.4. Powys County Council advises governing bodies that in order to avoid possible cases of unfair treatment or discrimination, they should seek advice and assistance at all times from the local authority’s HR service on the operation of disciplinary procedures. This procedure provides that the Chief Education Officer shall be advised whenever a warning is issued to a teacher under this procedure and that the Chief Education Officer or his/her nominated representative shall be entitled to attend all meetings of governing bodies’ staff disciplinary committees and staff disciplinary appeals committees.
- 1.5. The Council also advises governing bodies that this procedure uses the correct terminology concerning the powers of governing bodies with regard to dismissal as follows:
 - In the case of community and voluntary controlled schools, teachers are employed by the local authority and not by the governing body. The governing body is empowered to determine that a teacher employed at the school should cease to work there, while the dismissal of that teacher is the responsibility of the local authority.
 - In voluntary aided and foundation schools, teachers are employed by the governing body other than in very limited circumstances. The governing body is empowered to dismiss a teacher employed by the governing body. Where a teacher is employed by the local authority, the governing body is empowered to determine that the teacher should cease to work at the school while the dismissal of that teacher is the responsibility of the local authority.
 - Either the Committee of the Governing Body or the Headteacher can suspend a teacher.

1.6. Finally, the Council advises governing bodies that it is good practice for members of governing body committees dealing with disciplinary matters to be provided with information and, where possible, training in this role.

2. Applying the Disciplinary Procedure

2.1. This procedure shall operate alongside the relevant statutory requirements in relation to the exercise by governing bodies of their power in relation to discipline and dismissal.

2.2. This disciplinary procedure is separate and distinct from the grievance procedure whereby a teacher is entitled to air a grievance relating to his/her employment. If the question of disciplinary proceedings arises as a result of the hearing of a grievance, the disciplinary matter shall be dealt with in accordance with the procedure set out below. If a grievance is raised during a dismissal/disciplinary procedure, both procedures will be followed concurrently to allow the swift resolution of both matters.

2.3. This procedure shall apply where the governing body, head teacher or the Council is contemplating dismissing a teacher or taking disciplinary action against a teacher.

2.4. This procedure shall apply to dismissals on grounds of conduct, redundancies of less than 20 employees, the non-renewal of fixed term contracts and retirement.

2.5. Attention is drawn to Appendix 1, Examples of Gross and Lesser Misconduct.

2.6. Save in exceptional circumstances, this procedure shall not apply to cases of absenteeism or of allegedly inadequate performance/capability which shall be dealt with by other appropriate measures seeking to achieve improvement by positive means. It is recognised, however, that ultimately, this procedure may need to be invoked where attempts to resolve such problems by other means have been exhausted.

2.7. It is recognised that minor cases of misconduct and most cases of poor performance are best dealt with by informal advice, coaching/counselling and/or informal oral warnings. Such actions shall not be considered to form part of formal disciplinary action.

2.8. At all meetings held under the terms of this procedure, a teacher shall have the right to be accompanied by a Trade Union Official or a colleague only. Such meetings shall not be restricted to formal hearings but shall also include any investigative interviews and any meetings held outside formal disciplinary procedures at which informal oral advice may be given.

2.9. No disciplinary action shall be taken against a trade union representative until the case has been discussed with a senior representative or full-time official of the union concerned.

2.10. The governing body may delegate responsibility for some disciplinary matters to the head teacher. Normally the head teacher would be delegated the power to handle allegations against staff where the behaviour complained of would constitute lesser misconduct and where the outcome following investigation could be the issue of a warning – oral or written – rather than dismissal.

2.11. Where the governing body has delegated any disciplinary or dismissal functions to the head teacher, such functions may not be delegated further to another member of staff.

3. Governing Body Committees

- 3.1. The governing body shall establish a Staff Dismissal Committee, to which it delegates responsibility for considering cases which may possibly result in dismissal, and a separate Staff Dismissal Appeals Committee to which it must delegate responsibility for considering appeals against decisions of the Staff Dismissal Committee. The Staff Dismissal Committee and the Staff Dismissal Appeals Committee should consist of at least three governors, save that where allegations are made against a member of staff that involve issues of child protection, the Committees must include no less than two governors plus an independent person who is not a governor. The same independent person cannot sit on the Staff Dismissal Committee and the Staff Dismissal Appeals Committee.
- 3.2. The Staff Dismissal Committee shall also act as the Staff Disciplinary Committee dealing with disciplinary cases that do not involve dismissal unless such cases are delegated to the head teacher. The Staff Dismissal Committee shall also deal with appeals from the disciplinary findings of a Headteacher.
- 3.3. The Staff Dismissal Appeals Committee shall also act as the Staff Disciplinary Appeals Committee, dealing with appeals from the Staff Disciplinary Committee.
- 3.4. The Chair of Governors shall not sit on either the staff disciplinary committee or the staff disciplinary appeals committee in order that he/she is able to advise the head teacher when considering cases involving staff other than the head teacher and to seek advice in cases involving the head teacher.
- 3.5. The memberships of the Staff Dismissal Committee and the Staff Dismissal Appeals Committee must not overlap.

4. Investigations

- 4.1. Prior to any disciplinary action, allegations shall be promptly and carefully investigated and statements from witnesses shall be obtained where appropriate.
- 4.2. Teachers against whom allegations are made shall at any investigative interview have the right to be informed of the nature of the allegations and to respond if they so choose.
- 4.3. Investigation shall, where possible, be undertaken by a member of the senior management team other than the head teacher in order that the head teacher is subsequently able to consider matters under informal action or formal disciplinary procedures without prior involvement. In small schools it may be impossible for any other person except the headteacher to investigate.
- 4.4. If the allegation concerns child abuse, the head teacher should first consult the LEA's designated lead on child protection as a matter of urgency and engage the services of an Independent Investigation Service (as detailed in Section 5 below).

5. Investigation into Allegations Concerning Child Abuse

- 5.1 Where allegations are made which involve child protection issues, an independent investigator must be appointed to conduct an investigation prior to any disciplinary proceedings commencing.

5.2 A free Independent Investigation Service, *Servoca Dream Plc*, has been appointed by the Welsh Assembly Government to act on behalf of governing bodies in the investigation of matters relating to child protection. Contact details are provided in Appendix 2.

6. Informal Disciplinary Action

6.1. The head teacher may deal with matters by giving oral advice or issuing unrecorded informal warnings. Such warnings shall not be regarded as part of formal disciplinary procedures. The head teacher may, however, make it clear in such cases that formal action might be taken against the teacher on recurrence of the conduct in question.

7. Formal Disciplinary Action : Formal Warning Procedures

- 7.1. In the event of a complaint relating to the conduct of a teacher which the head teacher considers on investigation may require the issue of a formal warning, a Staff Disciplinary Committee meeting shall be arranged by the head teacher to take place as soon as is reasonably possible and, where possible, at a mutually convenient time.
- 7.2. The teacher shall be informed in writing of the date, time and purpose of the meeting and the nature of the allegations at least 15 days in advance of the meeting. The teacher shall at the same time be informed of any evidence to be presented and the names of any witnesses to be called at the meeting and provided with all supporting documents and the fact that they may be accompanied by a Trade Union Official or a work colleague.
- 7.3 The teacher shall respond to confirm their attendance at the meeting, the name of their companion and of any witness(es) they are calling at least 5 working days before the meeting, including any documentation they wish to rely upon.
- 7.4 Where the teacher's chosen companion cannot attend on the date proposed, the teacher shall be entitled to propose a reasonable alternative time and date which falls before the end of the period of five working days beginning with the first working day after the date first proposed by the Headteacher.
- 7.5 At the disciplinary interview, the teacher shall have the opportunity to answer allegations made, question any witnesses and state his/her case before any decision is reached.
- 7.6 Initial complaints relating to conduct, where proven, shall normally be dealt with by means of a formal oral warning, which may be given to the teacher at the disciplinary interview. A report of the warning shall be placed on the teacher's personal file and he/she shall be given a copy. A copy shall also be provided to the Chief Education Officer. The acknowledgement of the teacher, together with any written observations of the teacher, shall also form part of the record.
- 7.7 In the event of a further complaint or a complaint of a more serious nature, consideration may be given to a formal written warning or final written warning. The right is reserved for the formal warning system to be entered at such a level as deemed appropriate to the nature of the allegation. A written warning shall be given in the form of a letter to the teacher and a copy of the letter shall be placed on the teacher's personal file. A copy of the letter shall also be provided to the Chief Education Officer. The acknowledgement of the teacher, together with any written observations of the teacher, shall also form part of the record.

- 7.8 Warnings shall be disregarded for disciplinary purposes and expunged from the file after a specified period. These periods shall be 2 full terms after the end of the term in which the warning was issued for oral warnings and 3 full terms after the end of the term in which the warning was issued for written warnings and 6 full terms after the end of the term in which the warning was issued for final written warnings. The teacher shall be notified when warnings are expunged.
- 7.9 The outcome of disciplinary proceedings shall normally remain confidential to the parties involved.

8 Formal Disciplinary Action : Appeals against Formal Warnings

- 8.1 The teacher shall be entitled to appeal against the issue of any warning. That appeal shall be heard at a meeting of the staff disciplinary committee. The teacher must notify in writing his/her intent to appeal within 10 days of receipt of any warning. The Staff Disciplinary Committee shall hear the appeal within 20 days of its being lodged. The teacher shall be informed in writing of the date, time and purpose of the meeting at least 10 days in advance.
- 8.2 The procedure to be followed at such a meeting shall be the same as that set out below for cases which are referred to the Staff Disciplinary Committee for consideration. The committee shall not, however, be empowered to impose a more severe penalty than that originally imposed by the head teacher.

9 Formal Disciplinary Action: Further Disciplinary Action or Determination that a Teacher should Cease to Work at the School

- 9.1 In the event of a further complaint following the issue of a final written warning or a complaint of a more serious nature, consideration may be given by the head teacher, in consultation with the Chair of Governors, to referring the case to the Staff Disciplinary Committee of the governing body.
- 9.2 Where the head teacher and Chair of Governors consider that a determination may lead to dismissal, the head teacher shall refer the matter to the Staff Disciplinary Committee.
- 9.3 In the event that it is decided to refer a case to the Staff Disciplinary or Dismissal Committees, a meeting of the Committee shall be convened within 20 days. The teacher shall be notified in writing of the date, time and purpose of the meeting and the nature of the allegations, as well as copies of documentation/ evidence relating to the case at least 15 days in advance of the meeting. Where a determination which may lead to dismissal is considered to be a possible outcome, this shall be clearly stated in writing in this letter of notification. The teacher shall be informed of any evidence to be presented and the names of any witnesses to be called at the meeting and provided with all supporting documents at least 5 days in advance of the meeting.
- 9.4 At the hearing before the Staff Disciplinary Committee, the head teacher shall formally present the complaint and shall call any witnesses in support of the complaint. The head teacher may be questioned by the teacher concerned or his/her representative, as may any witnesses supporting the complaint.
- 9.5 The teacher or his/her representative shall then be given the opportunity to present his/her case with such evidence in documentary form or through the presentation of witnesses as he/she considers appropriate.

- 9.6 The members of the Staff Disciplinary Committee shall be entitled to question the parties and/or their witnesses at any point to seek clarification on any point raised in the allegation or the defence.
- 9.7 The Chief Education Officer or his/her representative shall be notified of the meeting at the same time as the teacher and shall be entitled to attend the meeting for the purpose of offering advice to the staff disciplinary committee. The committee shall consider this advice prior to making its decision.
- 9.8 The Staff Disciplinary/ Dismissal Committee shall consider its decision in private and may decide that:
- (a) no action be taken;
 - (b) a formal oral warning, formal written warning or final written warning be issued;
- Alternatively a Staff Dismissal Committee may decide that:
- (c) the teacher should cease to work at the school.
- 9.9 A first breach of discipline shall not lead to a determination which may lead to dismissal, save in any case of gross misconduct warranting such action according to principles of contract law and those governing unfair dismissal in law.
- 9.10 The decision of the Staff Disciplinary Committee shall normally be given orally at the meeting and confirmed in writing within 7 days. The notice must inform the teacher of his or her right of appeal. Where the committee decides that a teacher should cease to work at the school, the committee shall include a written statement of the reasons for the committee's decision in its letter of confirmation to the teacher.
- 9.11 Where the teacher concerned is employed by the local authority and not by the governing body of the school, the committee shall provide a copy of all outcome confirmation letters to the Chief Education Officer who shall, subject to any appeal by the teacher under the procedure set out in clause 10 below. Where dismissal is the recommended sanction, the Chief Education Officer will take the appropriate action as required by law within 14 days of the decision.
- 9.12 Where the teacher concerned is employed by the governing body of the school, the letter of confirmation shall also include notification of dismissal with notice as appropriate to the circumstances.

10 Formal Disciplinary Action : Appeals against Further Disciplinary Action or Determination that a Teacher should cease to Work at the School

- 10.1 There will be no further right of appeal against a decision of the Staff Disciplinary Committee acting as an appeal body, against the disciplinary findings of a headteacher.
- 10.2 Save as provided in clause 10.1 above, the teacher shall be entitled to appeal against a decision of the staff disciplinary/ dismissal committee. This appeal should be lodged with the Clerk to the Governing Body within 20 days of notification of the decision. The appeal shall be heard by the staff disciplinary/ dismissals appeals committee within 15 days of its being lodged. The teacher shall be given at least 15 days' notice of the date, time and purpose of the appeal hearing.

- 10.3 Any appeal panel established to hear an appeal against a determination that a teacher should be dismissed, should consist of at least three governors. However, where the allegations that have led to a recommendation to dismiss involve issues of child protection, the Committee must include no less than two governors plus an independent person who is not a governor. The same independent person cannot sit on the Staff Dismissal Committee and the Staff Dismissal Appeals Committee.
- 10.4 The appeal may take the form of a rehearing or a submission upon the facts of the case as the teacher wishes.
- 10.5 The Chief Education Officer or his/her representative shall be entitled to attend the appeal hearing for the purpose of offering advice to the staff disciplinary appeals committee. The committee shall consider this advice prior to making its decision.
- 10.6 The staff disciplinary appeals committee shall be empowered to confirm the decision of the staff disciplinary committee, impose a lesser penalty, or order that no action be taken. The staff disciplinary appeals committee shall not be empowered to impose a more severe penalty than that originally imposed.
- 10.7 The decision of the Staff Disciplinary/ Dismissal Appeals Committee shall normally be given orally at the meeting and confirmed in writing within 7 days. Where the appeal committee decides that a teacher should cease to work at the school, the appeal committee shall include a written statement of the reasons for the appeal committee's decision in its letter of confirmation to the teacher.
- 10.8 Where the teacher concerned is employed by the local authority and not by the governing body of the school, the appeal committee shall provide a copy of all outcome confirmation letters to the Chief Education Officer who shall, subject to any appeal by the teacher under the procedure set out in clause 10 above. Where dismissal is the recommended sanction, the Chief Education Officer will take the appropriate action as required by law within 14 days of the decision.

11 Suspensions

- 11.1 It is important to note that suspension from duty is a neutral act but should not be a decision taken lightly. It is not a disciplinary penalty and carries no assumption of guilt. Both the Headteacher and the governing body have the power to suspend a member of staff, but only the governing body can end suspension.
- 11.2 Suspension from duty pending a formal disciplinary hearing shall only be considered following an initial investigation:
 - (a) where suspension appears on good grounds to be necessary for the protection of pupils, other staff or property or the orderly conduct of the school; or
 - (b) where the continued presence at work of the person against whom allegations are made would be an obstacle to proper investigation.
- 11.3 Where it is considered that a teacher should be suspended from duty, the head teacher shall consult with the Chair of Governors before that decision is taken. Suspensions may only be lifted by the governing body. The Chief Education Officer shall be informed immediately where any teacher is suspended.

- 11.4 Suspension shall be on full pay in accordance with Regulations 16 of the Staffing of Maintained Schools (Wales) Regulations 2006.
- 11.5 The suspension will be confirmed in writing by the Head Teacher, within five working days and will state the reason for the suspension (sample letter shown at appendix 5). A copy of the disciplinary policy will also be sent to the teacher for their information.
- 11.6 An independent contact, who is mutually agreed, shall be nominated to act as a point of contact between the teacher who has been suspended and the school.
- 11.7 Individuals under suspension should not engage in alternative employment as a teacher during the period of suspension.
- 11.8 In some cases it may be necessary to refer the suspension to the General Teaching Council for Wales, in line with their guidance:
- Employers and agents have a key role in referring cases of unacceptable professional conduct and serious professional incompetence.
 - Under *The National Assembly for Wales The Education (Supply of Information) (Wales) Regulations 2003*, an employer or agent must report the facts of a case to the National Assembly for Wales, where:
 - (a) an employer has ceased to use a teacher's services, or an agent has terminated arrangements on a ground relating to the teacher's misconduct; or
 - (b) an employer might have ceased to use a teacher's service on such a ground had the teacher not ceased to provide those services, or an agent might have terminated arrangements on such a ground if the teacher had not terminated them; or
 - (c) an agent might have refrained from making new arrangements for a teacher on such a ground if the teacher had not ceased to make himself or herself available for work.

The National Assembly for Wales will, in turn, refer such a matter to the Department for Children, Schools and Families (DCSF).

APPENDIX 1 – Examples of Gross and Lesser Misconduct

Below are examples of Gross Misconduct and Lesser Misconduct. Assessing the level of misconduct and how it will be handled will depend on the facts of each case. This list is not intended to be exhaustive.

Gross Misconduct – An act or omission (or a series thereof) that fundamentally repudiates the contract of employment so that the governing body would be justified in no longer tolerating the presence of the teacher at work. These acts may justify summary dismissal without notice or payment in lieu of notice.

Examples include:

- Theft of property belonging to the LEA, the school, fellow members of staff or pupils;
- Malicious damage to property belonging to the LEA, the school, fellow members of staff or pupils;
- Violent behaviour or physical assault;
- Physical, sexual or emotional abuse of pupils;
- Sexual misconduct at work;
- Fraud;
- Dishonesty, e.g., tampering with examination papers or revealing examination papers prior to examinations, or altering examination results;
- Serious violation of the LEA's or the school's health and safety rules and standards;
- Criminal misconduct outside the workplace, which reflects adversely upon the school or the member of staff's suitability to continue to be employed at the school;
- Knowingly providing false information on any matter relating to the member of staff's employment;
- Persistent, serious, or flagrant discrimination or harassment on the grounds of race, gender, religion; colour, disability, sexual orientation etc;

Lesser Misconduct – Such breaches of discipline will not normally result in dismissal for a first offence, but may result in dismissal if repeated.

Examples include:

- Poor timekeeping or unauthorised absence, e.g., failure to comply with sickness reporting or absence from the workplace during school sessions without permission.
- Refusal to carry out a reasonable instruction;
- Negligence or abuse causing minor injury or damage to property;
- Neglect or unsatisfactory standards in performance of duties;
- Offensive behaviour, insubordination or using abusive language;
- Disclosure of confidential information;
- Harassment or discrimination on any grounds;
- Victimisation of colleagues, parents or pupils;
- Petty theft, e.g., making unauthorised private telephone calls or sending personal mail at the school's expense.

APPENDIX 2 – Contact Details for Independent Investigation Service, Servoca Dream Plc

An independent investigator must be appointed in all cases where allegations involving issues of child protection are made and which may lead to disciplinary proceedings.

To request an independent investigator, please contact:-

Bob Sherwood
Servoca Dream Plc
Investigations & Projects Officer
41 Whitcomb Street
London
WC2H 7DT

Tel: 0845 075 4453
Email: robert.sherwood@servoca.com
Website: www.Servocadream.com/child_protection.asp

APPENDIX 3 – Sample letters used throughout the disciplinary process

Letter Confirming Suspension from Duty

Dear

I am writing to confirm your suspension from duty as from, on full pay, in order that a full investigation can take place or for the protection of pupils, other staff or property, yourself or the orderly conduct of the school, for the reasons as stated below:-

- a).....
- b).....
- c).....

Suspension is not a punitive action but a necessary means of ensuring that a full and fair investigation can take place.

You will be contacted in the near future to arrange a meeting, so that you may be given the opportunity to comment and provide a statement to the investigating officer on the above allegation.

Also enclosed is a copy of the Disciplinary Policy for Teachers. Please read the section entitled 'Suspension' as this details all the conditions relevant to you and your employment status whilst you are suspended from your place of work. You will note from the policy that you may be accompanied at the above mentioned meeting by a representative or colleague if you wish.

Under the conditions of the suspension you must not contact any of your colleagues or visit your place of work or any other County Council Establishment, during the suspension period, unless authorised by myself or the headteacher.

*I understand you are a member of union and that you may wish your representative to be party to all correspondence we send to you. I would be grateful if you could let me know who your representative will be by return post. I have included a pre-paid envelope for this purpose.

Yours sincerely

* optional

Investigation Interview

Dear

Ref: Investigation interview on

I write to request your attendance at an investigation interview with They are the officers investigating the allegations made against you, as below:-

- a).....
- b).....
- c).....

The meeting interview will be held onat Your interview will commence at I understand your representative from Mr/Mrs/Miss will also be present.

Yours sincerely

Request for a witness to attend an investigation interview

Dear

I am writing to request your attendance at an investigation interview with They are the officers investigating an allegation made against The allegation is based on the following:-

- a).....
- b).....
- c).....

The meeting interview will be held onatYour interview will commence at You are entitled to be accompanied by a work colleague or a union representative.

Notice of a Disciplinary Hearing

Dear

I am writing to inform you that you are required to attend a disciplinary hearing on at am/pm which is to be held in At this hearing the question of disciplinary action against you, in accordance with the Disciplinary Procedure for Teachers, will be considered with regard to:

..... A copy of the Disciplinary Policy is enclosed for your information.

You are entitled, if you wish, to be accompanied by another work colleague or your union representative. A copy of the documentation the hearing panel will receive is also attached for your information.

You are required to confirm your attendance at the hearing and the names of any witnesses you will be inviting, within five working days of receipt of this letter. If you or your colleague or representative are unable to attend on the requested date, the hearing will be rescheduled to an alternative date; however it will not be rescheduled again.

Copies of any documentation and witness statements you will be using at the hearing, should be submitted to HR Advisor, five working days prior to the date of the hearing.

Yours sincerely

Letter to a Witness to request their attendance at the Disciplinary Hearing

Dear

Re: Disciplinary hearing on.....

I am writing to inform you that you are required to attend as a witness at the Disciplinary Hearing of The hearing will take place at on and will commence at

The panel will be hearing evidence of accusations as follows:-

- a).....
- b).....
- c).....

In order to prepare you for the hearing procedure, discuss your statement and any questions we may ask you and answer any queries you may have, I have booked the meeting room in Your appointment time will be

Should you wish to discuss this matter please feel free to contact me on the above number.

Yours sincerely

Conclusion from a Disciplinary Hearing

Dear

You attended a disciplinary hearing on I am writing to confirm the decision taken that you be given a written warning/final written warning/dismissed with notice/summary dismissal* in accordance with the Disciplinary Procedure for Teachers.

A. The following format should be used for any sanction other than dismissal.

This warning will be placed in your personal file but will be disregarded for disciplinary purposes after a period of months.

- a) The nature of the unsatisfactory conduct or performance was:
- b) The conduct or performance improvement expected is:
- c) The timescale within which the improvement is required:
- d) The likely consequence of further misconduct or insufficient improvement is:

Final written warning/dismissal

(In the case where a final written warning has been given and the panel have decided other penalties should also be given rather than dismissal, information should be included to confirm the additional penalties as explained within the disciplinary policy).

B. The following format should be used for a sanction of dismissal.

The panel considered all the information received and the reason for recommending to the LEA your dismissal is as follows:-

You have the right of appeal against this decision and your appeal should be made in writing to the Clerk of the Governing Body within twenty working days of receiving this disciplinary decision.

Yours sincerely

Notice of Result of Appeal Against Warning

Dear

You appealed against the decision made at the disciplinary hearing held on (DATE) when you were given a warning in accordance with the Disciplinary Procedure for Teachers. The appeal hearing was held on

I am now writing to confirm the decision taken by the appeal panel who conducted the appeal hearing. The decision of stands* / the decision of is to be revoked* (specify if no disciplinary action is being taken or what the new disciplinary action is.)

You have now exercised your right of appeal under the Disciplinary Procedure for Teachers and this decision is final.

Yours sincerely

* The wording should be amended as appropriate

