Grove Learning Trust

Disciplinary Model Policy

Date Ratified

October 2025

Version

V2

Vision

Together, we will create remarkable schools in which all children can thrive.

As one organisation, Grove Learning Trust, with schools that are unique and united, shares aspiration for our children, which is underpinned by a strong commitment to our values.

Trust >> Connect >> Collaborate

Our policies underpin our vision and set out clearly our expectations of each other.

Principles

1. This is the disciplinary policy of Grove Learning Trust (the Trust).

2. When making any decisions under this policy senior leaders must be aware of the particular needs and circumstances of each employee and must actively consider the duty not to discriminate on the basis of a protected characteristic. If there are any concerns about discrimination (or any other issues under the Equality Act 2010) (or if any issues are raised by an employee) then further advice should be taken.

3. When making decisions under this policy senior leaders must always act in a way that treats an employee (or anyone else involved in the process) fairly. This means giving them adequate information to be able to be able to express a view and properly considering that view.

4. This policy does not form part of any terms and conditions and may be amended by the Trust.

5. While this policy should be followed, it may be varied to meet the needs of the particular situation. For example, while timescales should be followed, if they cannot be met then reasons will be given why. If any other variation of the policy is necessary, then reasons will be given for any change, but senior leaders must take appropriate advice first.

6. When this policy is being followed detailed notes should be kept of meetings and communications with any relevant person.

7. This policy has also had regard to the ACAS Code of Practice on disciplinary procedures. Specifically, the following principles should be followed:

    - Employers and employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.
    - Employers and employees should act fairly and consistently.
    - Employers should carry out any necessary investigations, to establish the facts of the case.
    - Employers should inform employees of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
    - Employers should allow employees to be accompanied at any formal disciplinary meeting.
    - Employers should allow an employee to appeal against any formal decision made.

8. The Trust values and welcomes the role of the trade unions when following this policy and staff are encouraged to seek appropriate advice.

9. The Trust recognises that a misconduct process is a difficult experience for staff and will seek to support staff throughout the process. Further, staff are encouraged to seek additional support as required and the employee assistance programme information will be provided

10. The trust recognises that any disciplinary matter must be kept confidential from parties not directly involved.

Standards of Conduct

11. The Trust has high expectations of the behaviour and conduct of all employees. This policy applies to conduct both inside and outside of work and includes the use of social media.

12. The Trust has the following expectations (but is not limited to) of all employees:

- To act with honesty, integrity and to treat others around them with courtesy and respect. Acting with honesty and integrity means that employees should inform an appropriate manager if they have acted inappropriately at the earliest opportunity. Dishonesty of any form shall be regarded as misconduct.

- To be role models for students, parents and colleagues. This means that all employees have a leadership role to set a good example and to raise concerns where they are aware of poor behaviour. It also includes treating all Trust property and resources as a public resource and never intentionally wasting any Trust resource or using any Trust resource for personal gain.

- To be punctual and have appropriate dress and grooming standards for work.

- To comply with all relevant legal requirements including the Equality Act 2010 (not to discriminate in any form), Keeping Children Safe in Education (and other safeguarding law/policy), health and safety requirements and observing and keeping the law.

- To be independent and accountable in their decision making. Any actual (or potential) conflict of interest must be properly declared, and appropriate advice taken. This includes personal relationships between employees. Where an employee is in a personal relationship with another employee the relevant manager should be informed of this fact.

- To obey the law. Any employee who has or is accused of breaking any law must inform the line manager at the earliest opportunity.

- Failing to carry out reasonable management requests/carrying out the roles consistently and maintaining all policies and /standards set out by professional bodies.

  Behaviour outside of work can be a basis for disciplinary action for example, causing reputational damage to the Trust through inappropriate conduct including inappropriate use of social media/communications etc. Please refer to the Trust Code of Conduct for further detail

13. The importance of not discriminating against any person and safeguarding of students cannot be overstated. Staff must not do anything which is (or could reasonably be perceived to be) inappropriate in relation to discrimination or safeguarding. This includes humour. Under no circumstances should an employee share personal information (including becoming connected on social media) with a student. If an employee finds that they have become unintentionally connected on social media, they must inform a line manager immediately.

14. The list above is not intended to be exhaustive. Employees are expected to demonstrate initiative and common sense in respect of their conduct. However, for the avoidance of doubt, any use of alcohol, drugs, sexually explicit and/or other material at work is misconduct. The only exception shall be alcohol as part of official work events and even in these situations' employees are responsible for their own appropriate consumption of alcohol.

15. Some conduct is so serious that it is likely to result in the dismissal of an employee without notice. These acts are gross misconduct. The following list is not intended to cover every example of gross misconduct but the following are likely to be gross misconduct:

    - Physical violence.

- Discriminatory behaviour contrary the Equality Act 2010 such as: sexual harassment.
- Dishonesty, theft and/or other criminal behaviour.
- Serious safeguarding breaches.
- Being under the influence of drugs, alcohol and/or being in possession of sexually explicit material or items.
- Any conduct which is so serious as to bring the reputation of the Trust into disrepute.
- Serious breaches of the teacher or employee standards. .

Purpose

16. Minor conduct issues will generally be resolved informally. However, what constitutes a minor conduct issue will depend on the experience and seniority of an employee. Consideration could be given to actions such as completing a professional guidance conversation or providing additional training to address the issue. These actions should be recorded in writing and monitored to ensure appropriate improvement is maintained. Minor conduct issues which are not resolved in a reasonable manner may form the basis of a misconduct process.

17. The Trust will aim is to deal with disciplinary matters sensitively and with due respect for the privacy of any individuals involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.

18. Employees and anyone accompanying them (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure.Exceptions may be made for genuine reasons however an undertaking must be given that any record shall be kept confidential, secure and not edited and/or otherwise manipulated in any form. Consent will also need to be agreed for recording to take place from all parties.

19. The Trust will always seek to provide as much information as reasonably possible to an employee at every stage of the process. However, what may reasonably be provided at an investigation stage may be limited based on the facts and nature of the allegations, but the Trust will ensure that an employee has a reasonable knowledge of the specific allegations and relevant supporting evidence. If the matter proceeds to a disciplinary hearing, then the employee will be provided with the same information as any disciplinary panel.

Process general

20. The Disciplinary Process has three distinct stages. It is important to be clear that each stage is separate and distinct and decision-making is all separate. The fact that an investigation is undertaken does not mean that there will necessarily be a disciplinary hearing. The fact that there is a disciplinary hearing does not necessarily mean that an employee will be found to have committed misconduct. Each stage of the process will be undertaken fairly and objectively. At the disciplinary or appeal stage, the employee may be represented by professional representative and/or request a work colleague to attend. The Trust will not normally permit family members to act in that capacity, but consideration will be given to each specific situation. Employees do not normally have the right to bring a companion to an investigative interview, but requests in particular circumstances will be considered on a case by case basis.

21. The stages are as follows:

- The investigation. The Trust will appoint an appropriate person to undertake an investigation into the allegations. In most cases this would be the line manager.Where the CEO is to be investigated, this would sit with the trust board. The investigator shall ensure that they have no conflict of interest or knowledge of the case so as to ensure that they can complete a fair and impartial investigation. The investigator must determine whether or not they consider, on the balance of probabilities, whether or not there is a case to answer. The investigator shall not

determine whether or not there has been misconduct, rather whether or not there is a case to answer.

- If there is a case to answer the matter will proceed to a disciplinary panel. The panel will be wholly separate to the investigator and shall ensure that they have no conflict of interest or knowledge of the case. The panel will determine whether or not there has been misconduct and, if so, what (if any sanction) should follow. This panel should consist of at least 3 relevant people. See the GLT scheme of delegation for authorities.

- The employee shall have a right of appeal against any decision of the disciplinary panel. The appeal panel shall be wholly separate to both the investigator and the disciplinary panel and shall ensure that they have no conflict of interest or knowledge of the case such that they may fairly determine the appeal. This panel should consist of at least 3 relevant people. See the GLT scheme of delegation for authorities.

The Investigation

22. The purpose of an investigation is to establish a fair and balanced view of the facts relating to any disciplinary allegations against an employee, before deciding whether to proceed with a disciplinary hearing. The amount of investigation required will depend on the nature of the allegations and will vary from case to case. It may involve interviewing and taking statements from you and any witnesses, and/or reviewing relevant documents.Investigative interviews are solely for the purpose of fact-finding and no decision on disciplinary action will be taken until after a disciplinary hearing has been held.

23. All reasonable effort will be made to begin and complete the investigation within a reasonable period of time. Under normal circumstances, the investigation should be conducted within fifteen working days of the investigation commencing; however, where a longer period of investigation is reasonably required the employee will be advised in writing of the proposed

duration of the investigation and advised of any revisions of this timescale by the person completing the investigation.

The disciplinary hearing

24. If it is decided that there is a disciplinary case to answer, the employee will be notified of this in writing. This notification will contain sufficient information about the alleged misconduct and its possible consequences to enable the employee to prepare to answer the case at a disciplinary meeting. It would normally be appropriate to provide copies of any written evidence, which may include any witness statements, with the notification. The notification will also give details of the time and venue for the disciplinary meeting and advise the employee of their right to be accompanied at the meeting. Employees will be given at least five working day's notice of any disciplinary panel meeting. Requests for additional time will be considered on a case by case basis.

25. At the meeting a representative for the Trust will explain the complaint against the employee and go through the evidence that has been gathered. The employee should be allowed to set out their case and answer any allegations that have been made. The employee should also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. They will also be given an opportunity to raise points about any information provided by witnesses. Where an employer or employee intend to call relevant witnesses, they should give advance notice that they intend to do this.

26. The statutory right is to be accompanied by a fellow worker, a trade union representative, or an official employed by a trade union. A trade union representative who is not an employed official must have been certified by their union as being competent to accompany a worker. Employers must agree to a worker's request to be accompanied by any companion from one of these categories. Workers may also alter their choice of companion if they wish. As a matter of good practice, in making their choice workers should bear in mind the practicalities of the arrangements. For instance, a worker may

choose to be accompanied by a companion who is suitable, willing and available on site rather than someone from a geographically remote location.

27. To exercise the statutory right to be accompanied workers must make a reasonable request. What is reasonable will depend on the circumstances of each individual case. A request to be accompanied does not have to be in writing or within a certain timeframe. However, a worker should provide enough time for the employer to deal with the companion's attendance at the meeting. Workers should also consider how they make their request so that it is clearly understood, for instance by letting the employer know in advance the name of the companion where possible and whether they are a fellow worker or trade union official or representative.

28. If a worker's chosen companion will not be available at the time proposed for the hearing by the employer, the employer must postpone the hearing to a time proposed by the worker provided that the alternative time is both reasonable and not more than five working days after the date originally proposed.

29. The companion will be allowed to address the hearing to put and sum up the worker's case, respond on behalf of the worker to any views expressed at the meeting and confer with the worker during the hearing. The companion does not, however, have the right to answer questions on the worker's behalf, address the hearing if the worker does not wish it or prevent the employer from explaining their case.

The Decision

30. The disciplinary panel will need to make a decision on the balance of probabilities (whether it is more likely than not) as to whether or not the allegations made should be upheld. The panel will need to give written reasons. These reasons should be written in such a way as to make it clear what the reasoning of the panel was. For example, the panel should set out any

facts agreed and where there is a dispute of fact, what the panel concluded and why. The reasons should be sufficiently detailed to enable the employee/employer to understand why the panel made its decision. The panel should also consider any relevant mitigating factors.

31. If the panel, consider that the allegations were upheld then the panel may consider the following sanctions:

    - Written warning.
    - Final written warning.
    - Dismissal with notice.
    - Summary dismissal. This should be reserved for the most serious cases of gross misconduct.

32. In reaching its decision, the panel will consider the following points.

33. Where misconduct is confirmed, or the employee is found to be performing unsatisfactorily, it is usual to give the employee a written warning. A further act of misconduct or failure to improve performance within a set period would normally result in a final written warning.

34. If an employee's first misconduct or unsatisfactory performance is sufficiently serious, it may be appropriate to move directly to a final written warning. This might occur where the employee's actions have had, or are liable to have, a serious or harmful impact on the organisation.

35. A first or final written warning should set out the nature of the misconduct or poor performance and the change in behaviour or improvement in performance required (with timescale). The employee should be told how long the warning will remain current. The employee should be informed of the consequences of further misconduct, or failure to improve performance, within the set period following a final warning. For instance, that it may result in dismissal or some other contractual penalty such as demotion or loss of seniority.

36. The employee should be informed as soon as possible, the reasons for the dismissal, the date on which the employment contract will end, the appropriate period of notice and their right of appeal.

37. Alternative to dismissal will be considered and reasons will be given as to how these were considered.

Appeals

38. Employees may appeal against a decision of a disciplinary panel in respect of either the finding of misconduct and/or any sanction. The employee will be given notice of how to appeal in any decision

39. If an employee is appealing against dismissal, the date on which dismissal takes effect will not be delayed, pending the outcome of the appeal. However, if the appeal is successful, the employee will be reinstated with no loss of continuity or pay.

40. If new matters are raised in any appeal, then the Trust may need to carry out further investigation. If any new information comes to light employees will be provided with a summary including, where appropriate, copies of additional relevant documents and witness statements. Employees will have a reasonable opportunity to consider this information before the hearing and will be able to comment on any such evidence before a decision is made.

41. Employees will be given written notice of the date, time and place of the appeal hearing. This will normally be two to seven working days after you receive the written notice.

42. The appeal hearing may be a complete re-hearing of the matter, or it may be a review of the fairness of the original decision in the light of the procedure that was followed and any new information that may have come to light. This will

be at the discretion of the Trust depending on the circumstances of the case. In any event, the appeal will be dealt with fairly.

43. The appeal will be conducted by appropriate senior managers who have no conflict of interest and can fairly determine the case.

44. The appeal hearing may be adjourned if necessary to carry out new investigation if required and/or to consider any additional points. An employee will be able to comment on any new matters which come to light.

45. The appeal panel may confirm the original decision, revoke the original decision or substitute a different penalty.

46. At the conclusion of the appeal there is no further right of appeal.

Suspension

47. In some circumstances, the Trust may need to consider suspending an employee from employment. Suspensionmust be carefully considered. Suspension does not imply guilt, and this must be made clear to the employee. Ideally the employee should be spoken to about the potential for suspension before a decision is made. Employees should continue to be paid and receive benefits in the usual way.

48. Suspension may be appropriate if the nature of the allegations are very serious and/or the presence of the employee attending work may have a negative effect on the ability of the Trust to complete a fair investigation.

49. It will be carefully considered whether it is necessary to ask for any equipment owned by the Trust to be returned and access to systems restricted.

50. The Trust will ensure that the employee is able to get themselves home safely and support available to the employee will be signposted.

51. Suspensions must be kept under review at each stage of the process.

52. The reasons for the employee's suspension will be confirmed in writing as soon as possible.

Special Circumstances

53. If the employee is subject to a criminal investigation, then the Trust does not need to wait until this has concluded. The test is on the balance of probabilities and any decision by the Trust is wholly separate to any criminal matter. It may be necessary to liaise with the police and other public authorities to determine the correct course of action particularly if the alleged offence may have an effect on employment.

Interaction with other policies

54. Where an employee has raised a grievance then the Trust will determine whether or not to consider the grievance and disciplinary process separately or together. This will be determined on a case by case basis.

55. Where an employee ceases to attend work due to illness and/or any other reason, then the Trust will determine how best to conclude the process, properly taking into account the employee's absence. Decisions will be made fairly on a case by case basis and obtaining appropriate medical evidence as required.

Version Control

Version	Date	Status	Author (AU) / Approver (AP)
Draft 01	Sept 23	Completion of first draft	PHP (AU)
Final – A	Autumn 23	To be ratified by the Board of trustees	BOT(AP)
Review	Summer 24	To be ratified by the Board of trustees	CS (AU)
Review	Summer 25	To be ratified by the Board of trustees	CS, KO &JW (AU)