



Part of the Tibberton CE Primary School and
St Lawrence CE Primary School Federation

School Disciplinary Policy

1. Introduction

This policy has been adopted by the Governing Body of this School and is designed to help and encourage all employees to achieve and maintain high standards of conduct and behaviour at work. It aims to support the School's need for effective employees and to ensure consistent and fair treatment for all employees.

This policy has been formulated to ensure compliance with relevant employment legislation and also takes into account advice contained in the relevant ACAS Code of Practice, Conditions of Service for School Teachers in England and Wales and the associated ACAS Guide.

The procedure applies to all employees of the School, including temporary employees except where nationally negotiated terms and conditions have other mandatory provisions.

For Community, Controlled and those schools who have entered into a SLA with T&W HR, a HR representative is available to assist Head Teachers / Governing Bodies who are considering or implementing formal disciplinary action and they are advised to seek their advice at an early stage and certainly in all potentially serious cases. [Throughout this document, the term HR representative should be read to mean an employee within the HR Team at an appropriate level authorised by the HR Manager].

Employees facing action under this procedure are encouraged to seek assistance and advice from their trade union, professional association, or any other person of their choice. Employees may seek the advice of a HR representative who is not otherwise involved in the case, only on the operation of the disciplinary procedure.

This procedure has been agreed to deal with disciplinary matters. A separate procedure exists for dealing with cases of unsatisfactory performance by reason of capability.

Should suspension be necessary, the Local Authority will be notified as well as being notified if/when the suspension is lifted.

This policy assumes that the Head Teacher or relevant Manager will investigate the concerns relating to employees. Where concerns involve the Head Teacher, the Governing Body will delegate a member of that body to investigate.

In line with the School Staffing (England) Regulations 2009, this policy assumes that the Head Teacher will have delegated powers to dismiss, should that be required. This will not be the case where the concerns have been investigated by the Head Teacher or the Head Teacher is the subject of those concerns.

Where powers have not been delegated, the Head Teacher will be required to be involved in the process as either the investigating or presenting officer unless they are the subject of the investigation. Decisions will then be taken by the Governing Body.

Where there is an 'acting' Head Teacher or a member of the leadership team is seconded into the post of Head Teacher, the Governing Body will also have to decide whether to delegate powers of dismissal or not. Where this function is not delegated the above will apply.

Where the Head Teacher is subject to disciplinary concerns, the Governors will be responsible for managing the procedure with a separate Disciplinary Committee and Appeals Committee making the decisions.

For community, voluntary controlled, community special and maintained nursery Schools, the Local Authority has a statutory entitlement to attend all proceedings relating to staff dismissals and offer advice. This will be undertaken by HR.

For School types stated above should the decision be taken to dismiss the employee, the Governing Body is required to notify the Local Authority of its decision and the reasons for it. The Local Authority must issue the formal dismissal notice in writing within 14 days of the decision being taken.

Time frames within this policy are referred to as working days. Working days are taken to mean Monday to Friday 52 weeks of the year excluding Bank and Public holidays unless otherwise agreed.

This procedure should be read in conjunction with the Guidance Notes which are referred to throughout.

2. Informal Discussions

It is normal practice for a manager to discuss any matters of concern with their employees on a day to day basis. Such informal discussions will be outside the disciplinary procedure. The aim should be to offer such positive advice, assistance and guidance as will help the employee overcome any shortcomings.

Problems should be raised and discussed at the earliest possible moment and resolved whenever possible without recourse to the formal procedure. Sometimes such discussions should be organised in a fairly formal manner, and indeed managers may informally warn employees, but nevertheless such warnings fall outside the disciplinary procedure. Managers may decide to follow up informal discussions in writing for example to clarify the support measures the school will put into place. This letter may be placed on the employees personal file.

Employees are free to seek advice and assistance from a trade union representative or other person during informal discussions, subject to the procedure not being unreasonably delayed.

3. Formal Procedures – Introduction and Principles

Counselling and other methods used by managers to address issues informally may not always be successful or, because of the seriousness of the issue, may not be appropriate. Where it becomes necessary to use formal procedures, the principles set out in this section will apply.

The rules of natural justice should be observed. Employees will be given a full and fair opportunity to present their case before any disciplinary action is taken. The same officer will not be responsible for the investigation, formal hearing and appeal in respect of any one case.

The procedures should be followed with the minimum of delay but having regard to the time scales set out in this procedure. The unavailability of a particular representative or manager cannot be allowed to delay the operation of the procedure unreasonably, although it is recognised that in exceptional circumstances this may be unavoidable.

Disciplinary procedures should not be viewed purely as a means of imposing sanctions. They are designed to emphasise and encourage improvements in individual conduct. Minor issues should be dealt with informally but where the matter is more serious or persistent then the formal procedures should be used. In deciding whether to move to formal procedures, managers should have regard to all the

circumstances, including the employee's previous record of service and any personal circumstances that may be relevant.

Disciplinary sanctions will be determined having regard to the facts and circumstances of each individual case including, but not automatically determined by, the existence of previously issued, but still valid, sanctions.

With the exception of gross misconduct, dismissal will not take place unless the appropriate warnings have been given.

Employees will be notified that they have the right to consult and be accompanied by a trade union representative or a work colleague at any and all formal stages of the procedure, including investigation, and will be encouraged to do so. Requests to be accompanied by someone other than a trade union representative or work colleague will be considered.

Regard should be had at all times to the School's Equal Opportunities Policy and the Equality Act 2010.

4. Investigation

Disciplinary action will not be taken until a full investigation has taken place. The purpose of an investigation is not to determine guilt or innocence but to gather information upon which a course of action can be based.

An investigation will usually be undertaken by the manager of the employee concerned and may involve advice from HR. An auditor will be involved if there is an alleged irregularity involving the School's Standing Orders or Financial Regulations. Those who take part in an investigation may not hear the case at any subsequent disciplinary hearing or appeal.

The employee concerned will normally be informed that an investigation is underway, except where to do so would compromise the effectiveness of the investigation of potentially serious issues. [An investigation without the employee's knowledge must not be used deliberately to allow or encourage an employee to commit a more serious disciplinary offence]. He/she must be given an opportunity to be interviewed and may be instructed to attend an investigatory interview. If he/she refuses to participate in the interview, that fact must be recorded in writing. No inference may subsequently be drawn from an employee's refusal to be interviewed but at the conclusion of the investigation a course of action will have to be decided upon in the absence of the employee's comments on the issue being investigated.

An investigation may involve interviews with other employees, and/or any other persons and may include obtaining statements and/or examining records, documents and any other relevant information/items.

At the conclusion of an investigation, a decision will be taken on the most appropriate course of action. The investigation may conclude that no action is required in which case the employee concerned must be told as soon as possible and receive confirmation in writing.

The investigation may conclude that it would be appropriate to offer assistance e.g. guidance or training or other appropriate measures to bring about the change/improvement required or to warn the employee informally. Where this is the case, a meeting should be convened to discuss the outcome of the investigation and assistance being offered to bring about the required change/improvement.

Where a matter is also being investigated by the Police or by another internal or external body with statutory powers (e.g. Child Protection Team, Registration and Inspection, Inland Revenue, Customs and Excise) the investigation must be carried out in consultation with that body.

Further information is available in:

- Guidance Note 1 – What to do when a potential disciplinary issue arises
- Guidance Note 3 – Investigations
- Guidance Note 4 – Investigatory Interviews
- Guidance Note 5 – Note taking in an investigatory interview

5. Suspension

Within the context of this procedure, suspension from work is not a disciplinary measure in itself and should not be seen as punitive or prejudging the outcome of any investigation.

An employee may be suspended when:

- alleged gross misconduct is being investigated
- the presence of an employee at work would prejudice the conduct of the investigation
- it is in the interests of the safety of the employee, pupils and/or others

Where practicable, the decision to suspend an employee should be taken by the Head Teacher (or Chair of Governors where the concerns involve the Head Teacher) in consultation with the appropriate HR representative. However, if this is not possible for example, due to the absence of the Head Teacher, then a suspension may be carried out by another manager. In these circumstances the manager must consider the decision to suspend at the earliest opportunity and confirm their decision.

Suspension will always be on full pay.

A suspended employee should be instructed to leave the workplace immediately. He/she should be informed that suspension will be on full pay, and should be asked to return keys, ID card and any other School property as appropriate. A suspended employee may be instructed not to make contact with other specified employees whilst suspended. Any oral instructions should be confirmed in a letter setting out the reason for the suspension. The employee is expected to be available for interview as part of the investigation throughout the period of suspension.

Periods of suspension should be kept to a minimum consistent with the circumstances.

A suspended employee may, by prior arrangement, return to the workplace to collect personal belongings or any 'material' that they may need in the preparation of their case. The examination or removal of any items must be overseen by the investigating manager or his/her representative and with the exception of personal possessions, no item may be removed without the manager's permission. Although under a general instruction not to contact specified employees, a suspended employee may wish to talk to his/her representative. If a suspended employee wishes to interview another employee as a potential witness, this must be with the full consent of the person concerned.

Alternatives to suspension should always be considered. This may enable the employee to seek advice from their trade union representative if they are a member.

Refusal to accept the alternative may result in suspending the employee.

Further information is available in:

- Guidance Note 2 – Suspensions

6. Disciplinary Action Involving Trade Union Representatives

Disciplinary action should not be taken in respect of trade union representatives until the matter has been first discussed with the appropriate official as designated by the union concerned. Suspension can take place, as this is not a disciplinary action, although wherever practicable this should also be first discussed with the appropriate official.

7. Criminal Charges and Convictions

An employee should not be dismissed or disciplined merely because he/she has been arrested or charged with or convicted of a criminal offence or been the subject of an official police caution or investigation. The question to be asked in all cases, whether or not the arrest/charge/conviction/caution/investigation relates to an offence during the course of employment or outside of employment, is whether the employee's conduct warrants action because of the employment implications. It may not be possible to answer that question without first conducting an investigation.

Where it is considered that the conduct warrants disciplinary action the normal procedure should be followed.

Such action need not always await the outcome of any investigation, charge or prosecution, but see Section 4 above.

8. Formal Disciplinary Hearings

8.1. Instruction to Attend a Disciplinary Hearing

The employee must be given written notification of the disciplinary hearing, instructing him/her to attend. The notification must include:

- Date, time and location of the hearing
- The names of the managers conducting the hearing
- The right to representation
- The nature of the allegations to be considered at the hearing
- Copies of documentary evidence which it is proposed to present at the hearing
- The right to call witnesses
- A copy of the disciplinary procedure

In cases of hearings where there is a valid final warning and hearings for alleged gross misconduct, an indication that one possible result of the hearing could be dismissal

In order to ensure that the employee has adequate time to prepare his/her case, a minimum of 5 working days (or 10 working days for gross misconduct) should elapse between the receipt of the written confirmation of a disciplinary hearing and the hearing taking place. This period may be reduced with the consent of all parties. A copy of the notification will be sent to the employee's representative and to members of the panel. The investigating officer or the employee may, with good reason, request that a hearing is deferred and this request will not unreasonably be refused. The employee will have access to his/her trade union or other representative to prepare for the hearing.

8.2. Witnesses

Witnesses used as part of the act finding investigation may not necessarily be called by the investigating officer. Where the decision to call witnesses has been taken, this will usually be confirmed in the notification of hearing.

Where witnesses are not being called by the investigating officer but are required to attend by the employee, the employee should make the request for the witnesses to attend through the investigating officer. This should be within 5 working days of the hearing.

The employee is responsible for obtaining their own witness statements and/or calling such witnesses to attend the hearing. Again notification of such information/attendance should be within 5 working days of the hearing or within the agreed timeframes of the invite to hearing letter.

8.3. Conduct of Disciplinary Hearings

The Head Teacher will normally hear the matter in relation to employees unless they are involved in the investigation or the concern is in relation to them. In those circumstances, the Disciplinary Committee will hear the concerns and make the decision. The decision maker will be advised by HR.

The Head Teacher/chair of the panel conducting the hearing must ensure that it is conducted in a fair and reasonable manner and in accordance with the principles of natural justice.

The procedure to be followed at the hearing will be as laid out in Appendix 1. If more serious matters come to light during the course of the hearing, the Chair of the panel may call a halt to proceedings and order a further investigation.

Where possible, the decision of the panel will be confirmed verbally to the employee and/or in writing within 5 working days of the hearing. A copy will be sent to the employee's representative, and placed on the employee's personal file. Associated documentation will be stored securely in line with the data protection requirements.

Where a disciplinary sanction is applied, the letter confirming the sanction should clearly set out:

- The date of the hearing
- Details of the unsatisfactory conduct, including reference to any previous warnings relevant to the present case, which have been considered
- The corrective action that is required
- Details of the disciplinary sanction and any monitoring or review to be operated
- A warning that further disciplinary action during the life of the warning could lead to more serious disciplinary sanctions including, in the case of final warnings, that this could lead to dismissal
- The period of time after which a warning will lapse
- The right to lodge an appeal within 10 working days from receiving the letter.

In cases of dismissal the letter should clearly set out:

- The date of the hearing
- Details of the unsatisfactory conduct including reference to any previous warnings, relevant to the present case, that have been considered and in the case of gross misconduct a statement that the behaviour constitutes gross misconduct
- A statement that the panel has decided to dismiss the employee
- The effective date of dismissal bearing in mind, except for summary dismissal, the period of notice given
- The right to lodge an appeal within 10 working days of receiving the letter

8.4. Postponements

Requests or the need to postpone a hearing will be considered in exceptional circumstances by the decision making body (Head Teacher or Governors).

In the event that a postponement has been granted, rearranging the hearing will occur without delay, ideally within a 5 working day period.

9. Disciplinary Sanctions

The panel may issue a warning that will contain the points set out above.

The length of the validity of a warning is set out below.

If a further incident occurs during the validity of the warning, it will be taken into account by the panel at a subsequent hearing in determining the sanction to be applied at the time. As well as applying a higher, or lower level sanction as appropriate, the panel will have the option of extending the validity of the original warning from the date of the subsequent hearing by up to the maximum period for that level of warning.

9.1. First Warning

A First Warning will be issued for matters where informal methods would not be appropriate or where an informal approach has not been effective.

First warnings will be valid for three months.

9.2. Second Warning

A Second Warning will be issued for matters where a valid First Formal Warning has not been effective or in circumstances which justify omission of earlier stages.

Second Warnings will be valid for six months

9.3. Final Written Warning

A Final Written Warning will be issued for matters where a valid Second Warning has not been effective or in circumstances which justify omission of earlier stages.

Final Written Warnings issued for misconduct will be valid for one year. Final Written Warnings issued for Gross Misconduct will be valid for up to two years.

In cases of gross misconduct, where dismissal would otherwise be the result, a Final Written Warning may relate to never to be repeated incidents and if the same incident or very similar incident is repeated the employee will be dismissed no matter how long after the Final Written Warning the later incident occurs. If a Final Written Warning is to be treated in this way it will be made clear in the letter

confirming the warning. An employee issued with a Final Written Warning of this type may apply after a period of two years for the Final Warning to be removed.

9.4. Dismissal

Dismissal will occur where following a valid Final Warning there is a further instance of unsatisfactory conduct or in cases of gross misconduct (see Section 10)

9.5. Other Disciplinary Sanctions

The panel may decide to take any other appropriate action depending on the circumstances of the case. This will normally be in addition to a disciplinary warning, but may have the effect of reducing the severity of the warning or reducing its length. This may also be used as an alternative to dismissal in gross misconduct cases but in conjunction with a final written warning for never to be repeated incidents. Other disciplinary sanctions may include:

- Demotion*
- Redeployment*
- Loss of seniority*
- Loss of increment

* Pay protection will not apply.

Depending on the nature of the sanction, it may be appropriate to link it to the period of any warning that is issued.

10. Gross Misconduct

Gross misconduct is defined as misconduct that is so serious that it breaks the trust between the employee and the School and cannot under any circumstances be tolerated. If proven, gross misconduct could, and usually would, result in dismissal.

In the case of alleged gross misconduct, the employee will usually be suspended with full pay until the case has been investigated.

A dismissal for gross misconduct will only take place after the normal investigation to establish all of the facts have taken place. Dismissal for gross misconduct will be summary - that is without notice or payment in lieu of notice.

11. Appeals

An employee may appeal against all or any part of the outcome of a disciplinary hearing but not against the decision that a hearing should take place.

An appeal must be lodged within 10 working days of receipt of written confirmation of the decision appealed against.

An appeal must be in writing, to the Clerk of the Governing Body. The appeal must make it clear whether it is against the decision of the panel that the allegations were proven or against the sanction applied by the panel or both (i.e. "verdict" or "sentence" or both).

The Governing Body or his/her representative will acknowledge receipt of the appeal and will arrange for it to be heard as soon as possible by the Appeals Committee (Appendix 2)

If the appeal is against the panel's finding that the allegations were proven, it will be in the form of a re-hearing of the case. The procedure will be the same as for the conduct of the original hearing. If the appeal is against the sanction applied by the panel, or the way in which the original hearing was conducted, the Appeals Committee will receive an agreed statement of the facts of the case and will only consider representations concerning the severity, length or appropriateness of the sanction, and/or of the conduct of the original hearing.

An appeal hearing may consider new information from either the appellant or management. If new information is introduced, both the appellant and management must have an opportunity to question it. If in documentary form, it should be submitted in advance, normally 10 working days before the appeal. If new information comes to light less than 10 working days before the appeal, the Appeals Committee may decide to postpone the hearing in order for the new information to be considered. Submission of late information does not automatically lead to a postponement.

An appeal hearing may uphold the decision appealed against, may reduce the sanction and/or may issue such other instructions and sanctions as it sees fit and in line with section 9). An appeal hearing may not result in a more severe sanction than that issued at the original hearing.

The decision of the appeal hearing will be confirmed in writing to the appellant within 5 working days of the hearing.

With the exception of referral to an Employment Tribunal the decision of the Appeals Committee is final and may not be the subject of any further appeal or grievance.

12. Disciplinary Rules

For the guidance of managers and employees, the School will determine and maintain a set of disciplinary rules. These will be amended from time to time. Also see STAW.046 for the full Disciplinary Rules.

APPENDIX ONE - Conduct of Disciplinary Hearings

1 Preamble

This procedure is intended to act as an agreed framework for the conduct of formal meetings. It is recognised that there may be circumstances where it is appropriate to vary the procedure with the agreement of all parties involved.

2 Procedure

The Chair of the panel will introduce all people present and will ensure that everyone present is aware of the procedure to be followed.

The presenting officer will present, in a summarised form, the circumstances that have led to the formal meeting being called and details of what specific allegations are being made against the employee.

The employee will be asked if he/she understands the allegations that are being made and whether he/she accepts or denies them.

The presenting officer will then present the details of the case calling any appropriate witnesses and submitting any appropriate documentary evidence (see Section 3 below concerning witnesses and Section 4 below concerning documentary evidence). If the allegations have been accepted by the employee, there will be no need to put forward evidence to prove facts that are agreed.

As each witness is called, he/she will be questioned in the following sequence:

- i) by the presenting officer
- ii) by the employee and/or his/her representative
- iii) by the panel.

At the conclusion of the presentation by the presenting officer, he/she may be questioned by the employee and/or his/her representatives and by the panel.

The employee and his/her representative will then be asked to present their case, calling any appropriate witnesses and submitting any appropriate documentary evidence (see Section 3 below concerning witnesses and Section 4 below concerning documentary evidence).

As each witness is called, he/she will be questioned in the following sequence:-

- i) by the employee, and / or his /her representative
- ii) by the presenting officer
- iii) by the panel.

At the conclusion of the presentation by the employee and his/her representative, they may be questioned by the presenting officer and the panel.

The presenting officer and the employee and/or his/her representative will then be asked, in that order, to summarise their case. They must not, at this stage introduce new information. (Should any new information be introduced at this stage all parties will be given the opportunity to question and comment upon it).

After satisfying itself on any outstanding matters the panel will then adjourn to consider whether the allegations against the employee have been substantiated. At this stage everyone who is not a member of the panel must leave, other than the HR representative, if present, who may remain to advise the panel on matters of law and procedure. If technical advice is required the panel may seek advice from the appropriate technical expert, in the presence of all parties or their representatives.

During the adjournment, the panel may wish to clarify points of information. In this case, the presenting officer and the employee and his/her representative should be recalled while the matter is clarified. The panel may not enter into discussion with one party in the absence of the other.

When the panel has reached a decision, both parties will be recalled and the panel will state whether the allegations against the employee have or have not been substantiated. They will announce what action, if any will be taken. The right of appeal against such action will also be explained.

The outcome of the meeting will be confirmed in writing within 5 working days.

Note

Any party to the proceedings may ask for an adjournment at any time; such a request shall not unreasonably be refused. If granted, all parties except the panel will be asked to leave the room.

3 Witnesses

It is the responsibility of the presenting officer and of the employee and his/her representative to ensure that their witnesses attend the hearing. If any difficulties arise in securing the attendance of a witness, the Head Teacher, Governor and/or HR should be consulted.

Witnesses may only be present at the hearing as they are required and must otherwise wait in a separate room.

4 Documentary Evidence

Documentary evidence that is to be used at the hearing will be circulated to all parties including the panel at the same time the invite to hearing letter is communicated. Any subsequent information should be submitted 5 working days in advance of the hearing or in line with the time frames specified within the invite letter.

Documentary evidence that has not been circulated in advance will be considered at the hearing at the discretion of the Chair, who will have regard to the nature and complexity of the item and the views of all parties.

Guidance Note 1 – what to do when a potential disciplinary issue arises

Dismissals

The Staffing Regulations 2003 provide for Headteachers to take the initial decision to dismiss.

However, these delegated powers will not be exercised where:

- The LA has made representations to the Chair of the Governing Body on the grounds of serious concerns about the performance of the Headteacher.*
- The Headteacher is the subject of the deliberations.*
- The Headteacher is absent from the school in the longer term through sickness, suspension or other reasons.*
- The Headteacher was in post at the introduction of these regulations and declined the delegation of dismissal powers.*

In these circumstances the First Committee of the Governing Body will have the delegated powers to determine the matter.

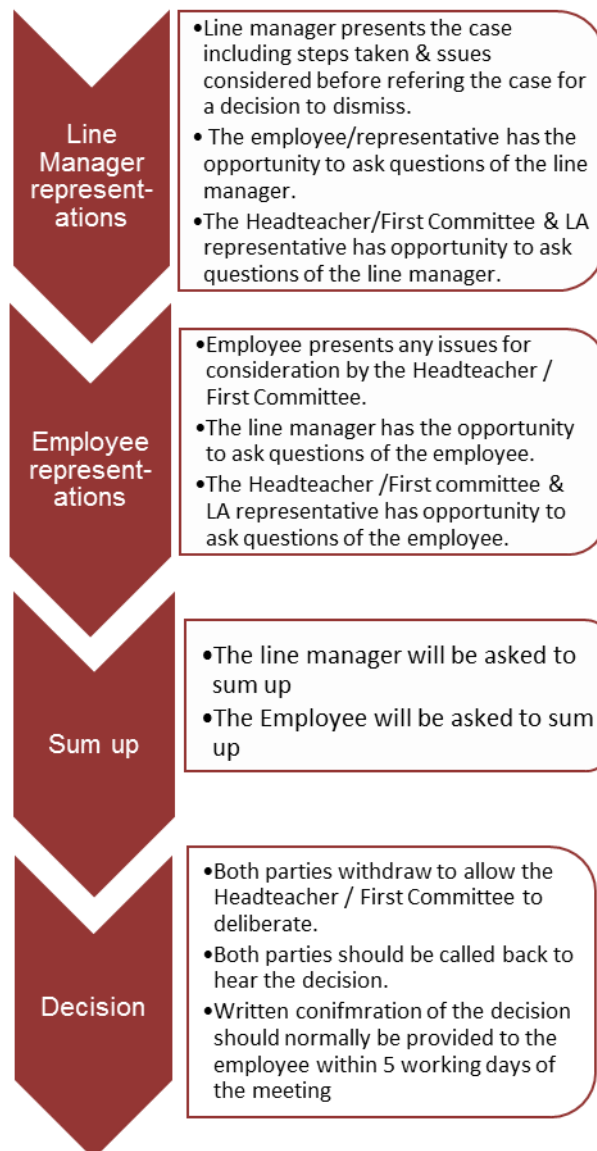
Whether it is the First Committee or the Headteacher alone who exercise these powers, the LA has a right to be represented at all meetings that might result in the dismissal of an employee in schools which are:

- Community
- Voluntary Controlled

Making the decision

The employee and / or representative will be entitled to attend any meeting of the Headteacher or First Committee at which the employees' dismissal will be considered. The employee may also send representations in writing.

The format for the meeting should follow:



The Decision

The decision should be given in person following suitable deliberations in private and involving the LA's representative.

Written confirmation of the decision, with reasons, should be provided to the employee **within 5 working days** of the meeting.

Where the decision is taken to dismiss, the letter must advise of the employee's right of appeal.

If the employee does not attend the meeting and is not represented, the decision may be taken on the basis of the evidence available at the time. The employee should receive written confirmation of any such decision **within 5 working days** of the meeting.

Issuing notice of dismissal

The process for issuing notice of dismissal varies depending on the category of school:

- ☑ **Community and Voluntary Controlled Schools** *must inform the LA of the initial decision to dismiss.*

*The LA is obliged to terminate the contract of employment within **14 days** of receipt of this request.*

- ☑ **Foundation, Trust and Voluntary Aided Schools** *are the employers of their own staff and make their own arrangements for giving formal notice of dismissal and informing the LA.*

- ☑ **Academy Schools** *are the employers of their own staff and make their own arrangements for giving formal notice of dismissal.*

The notice letter will confirm the last day of employment.

Notice Periods

Sickness Absence & Capability Procedures

requires that written notice is given which will be the longer of statutory or contractual notice entitlements

Notice entitlement must be paid on full pay, less any statutory benefits payable.

Disciplinary Procedures require that dismissal for gross misconduct will be summary - that is without notice or payment in lieu of notice.

Appeals

The employee has the right to appeal to the Governing Body's Appeal Committee.

This applies whether the Headteacher of the Governors' First Committee made the initial decision to dismiss.

Lodging an appeal

The employee must write to the Chair of Governors **within 10 working days** of receipt of the letter.

Timescales for Appeal Hearings

The Chair of Governors must arrange for a meeting of the Appeals Committee to be held as soon as possible, normally within 10 working days of the date the appeal was lodged.

In accordance with the constitution of the Appeals Committee **three Governors** should be present.

Format of the Appeal Hearing

The format of the appeal hearing should mirror the format of the meeting at which the initial decision to dismiss was made.

Guidance Note 2 - Suspensions

This guidance note concerns suspensions of employees and alternatives to suspension

- How do you decide if an employee should be suspended?
- When is suspension likely to be appropriate?
- Who can authorise a suspension?
- What if a suspended employee is employed at another School or within the Local Authority in a similar Role?
- What are the alternatives to suspension?
- What happens at the meeting to suspend the employee?
- What equipment, documents etc need to be retrieved from the suspended employee?
- What support should be given to employees who are suspended?
- What information is available for employees?
- What happens when a suspension ends?

Considering suspension

Being suspended from work can cause anxiety to the employee concerned and will be unsettling for their colleagues. Individuals may fear that colleagues and others will have interpreted the act of suspension as an indicator of presumed guilt from an early stage. Suspension should therefore not be an automatic response to the receipt of an allegation.

It is useful to complete a **risk assessment** when making a decision as to whether to suspend an employee¹. Any recommendation to suspend should be agreed by the Head Teacher or Chair of Governors (in the absence of or where the situation related to the Head Teacher) or other authorised officer in consultation with your HR representative. In some circumstances it may be necessary to consult others such as other managers, Audit & Information Governance, Safeguarding Officers/Family Connect, Police or other Partners.

If suspension has been considered it will have been necessary to give initial factual details to the Head Teacher, Chair of Governors or other authorised officer to inform the decision to suspend. It is important, however, that the Investigating Officer does not discuss the details of any subsequent investigation with the Head Teacher or Governors who may be called upon to hear any subsequent disciplinary hearing.

¹ DP Template 1 - Risk assessment & Initial Actions Checklist

In some cases an employee may be employed at another School or in a similar role with the Local Authority. Depending on the circumstances, it may be necessary to inform the School or relevant Local Authority Manager of the detail in order to enable them to make a decision on their course of action. The employee should be informed that this information will be shared with such employers.

Suspensions are likely to be appropriate when:

- There is a risk to the safety of pupil or employees. Usually a decision to suspend is made after consultation with the appropriate Safeguarding Officer or following a joint strategy meeting.
- It is in the interests of the health & safety of the employee or other employees or services users.
- The investigation would not be able to continue unimpeded. For example, necessary evidence may potentially be destroyed or altered. This may be the case in some investigations involving potential data breach.
- The employee has been charged with a serious criminal offence.
- At some stage during the investigation it may become clear that there are serious causes for concern which may give reason for dismissal on the grounds of gross misconduct. At this point the Investigating Officer should consider whether to suspend the employee from duties. If an Investigating Officer believes that there is evidence that the employee has committed an act of gross misconduct which has fundamentally breached the trust and confidence of the employment relationship, it is unlikely that it would be appropriate for the employee to remain in work before the outcome of the hearing was received.

This list above gives examples but is not exhaustive.

Any period of suspension should be as short as possible and the need for it must be regularly reviewed by the Investigating Officer in the light of evidence received and the decision of the review should be communicated to the employee by the Investigating Officer. A note of this review should be kept. Any suspension will be on full pay.

If the Head Teacher is not the investigating officer, it may be necessary to keep them up to date with the progress of the investigation in order to enable them to manage resources within the School.

Alternatives to suspension

After completing a risk assessment² and seeking advice from a HR representative, the following alternatives to suspension may be appropriate

- Moving the employee temporarily to a different work area.
- Undertaking certain tasks only.
- Ensuring that the employee is supervised at all times.
- Agreeing to some paid time at home whilst an investigation is conducted or special leave.

Refusal to accept an alternative may result in suspension.

Suspending the employee

Care must be taken as to how the suspension is communicated to an employee; this should be discussed with the appropriate HR representative. Circumstances will dictate how, when and by whom an employee is suspended. The suspension should be done in person, preferably by the employee's manager/Head Teacher (of Chair of Governors in relation to the Head Teacher) who may be accompanied by a HR representative or other officer. Wherever practicable the employee should have a representative with them. If the employee is a trade union representative, the appropriate regional officer should be involved in advance where practicable. A checklist is available for managers to follow when suspending an employee³.

Managers should ensure that a suspended employee, who may become distressed, is supported and, where necessary, assisted to go home. S/he should be told the reasons for the suspension and what will happen next. The intent to deal swiftly and sensitively with the issue should be made clear. They should be told what information will be given to colleagues, customers and potentially the media; when and how this will be managed. This should be confirmed by letter⁴ accompanied by a leaflet which explains the process and the assistance and support available to them. They should also be given a copy of the disciplinary policy, disciplinary rules, employee counselling leaflet and the name of a HR representative they can contact for advice on procedure. They should also be advised that they may wish to seek representation or support from their trade union or other representative.

² DP Template 1 - Risk assessment & Initial Actions Checklist

³ DP Template 2 - Checklist for Suspension

⁴ DP Letter 2 - Suspension Letter

What documents and equipment etc need to be retrieved from the employee?

Suspended employees are required to give in their ID badge, mobile phone and any IT equipments. They are also required to return all papers, files (electronic and paper) and any other documents used by them in the course of their duties, together with all equipment that has been issued to them during their employment. An employee statement of returned items form should be completed and signed by the employee and retained by the manager.⁵

Support for the employee during suspension

There is a duty of care to ensure that appropriate support is available to a member of staff. The leaflet which is given to employees at the suspension meeting details the support available to them. This support includes

- Being kept updated about the progress of the investigation.
- Recommendation to gain support from their trade union or another representative.
- The name and contact details of a HR adviser who can give them advice on the process.
- Reasonable time to prepare their case and attend any investigation meetings.
- A confidential employee counselling service.
- Direction to contact the Council's occupational health section for advice and guidance in addition to their own GP if they become unwell during the investigation.

Either at the suspension meeting, or at a meeting shortly following the suspension, managers, with advice from HR, should aim therefore to agree the following with the employee or their representative:

- How support and counselling are to be offered.
- How the employee will be kept updated about the progress of the investigation. Regular contact should be made with the employee, any delays in the process explained and consideration given to the involvement of occupational health if necessary.
- How links will be maintained with the place of employment so that the employee is kept informed on general developments and news in their work place and any specific items relating to their roles.
- What information will be given to colleagues, customers and potentially the media; when and how this will be managed.
- What contact the employee can have with work colleagues and what they may discuss with them. As people tend to spend a large proportion of time at work, it is sometimes the case that work colleagues are an important part of an individual's support network. It is therefore reasonable to agree how employees can continue to interact with work friends whilst not compromising any investigation.

⁵ DP Template 3 - Employee Statement of Returned Items

Ending the suspension

- A suspension may be lifted when it becomes apparent that it is no longer necessary for the employee to be suspended. This may happen:
- During the investigation, if it becomes apparent that it is no longer necessary for the employee to be suspended
- After a disciplinary hearing has been held.
- Upon the resignation or dismissal of the employee
- If the suspension is lifted and the employee is to return to work, a meeting should be held with the employee to confirm the end of the suspension and make arrangements for their return to work including any required training, supervision or other necessary measures. The details of the lifting of the suspension and return to work arrangements should be confirmed in writing to the employee.

Communications with colleagues and service users will also have to be considered and put in place.

Guidance Note 3 - Investigations

This guidance note concerns conducting a disciplinary investigation.

- Initial Actions
- Responsibilities of the Investigating Officer
- Planning the investigation
- Managing potential difficult situations during the investigation
- Completing the investigation

Initial Actions

When it becomes clear that there is an issue which needs investigation

- a) An **Investigating Officer** should be assigned to the case without unreasonable delay. This is likely to be the direct line manager of the employee, however, the role may be completed by the Head Teacher, Governor or an external party where this is considered more appropriate dependent on the particular issues of the case. This should be determined as part of the planning meeting as mentioned in Guidance note 1.
- b) Employees who are the subject of an investigation into their potential misconduct should be informed that there will be an investigation and this should then be confirmed in writing.⁶ The leaflet which gives guidance for employees facing investigation should also be given to the employee.
- c) If at the start of or during the investigation an employee needs to be suspended or a suspension needs to be lifted the appropriate guidance should be followed.⁷

Responsibilities of the Investigating Officer

The nature and extent of any investigation will depend on the seriousness of the matter; the more potentially serious it is the more thorough the investigation should be. The Investigating Officer should:

- a) Plan and conduct an objective thorough and fair investigation in a reasonably swift timescale in line with School procedures. They should remain open minded during the investigation and ensure that they do not discuss details of the case with any officer who may be on the panel of any subsequent disciplinary hearing. However, if the Head Teacher is not the Investigating Officer, it may be necessary to keep them informed of timescales in order to manage resources within the School.
- b) Keep the employee being investigated updated on the timescale of the investigation and **review the need for any suspension** of an employee on a regular basis. If the complaint was originally received from an external source i.e. a parent, the Schools must follow their complaints procedure in order to respond to the complaint.
- c) Give due regard to relevant policies, procedures and legislation including:

⁶ DP Letter 1- Investigation - Misconduct

⁷ DP Guidance Note 2 - Suspensions

- The disciplinary procedure and disciplinary rules.
 - The **Data Protection and Freedom of Information Acts**. Advice on both acts is available from People Services and the Information Governance Team.
 - Schools policy or specific guidance on potential data breach issues
 - Whether **surveillance** may be required? If so, to seek advice initially from HR/Legal Services. In potential cases of fraud or theft the Investigating Officer should contact the Audit & Information Governance team and anticipate the use of RIPA regulations.
 - Whether information is required on **email or internet usage?** The Head Teacher, Governor or relevant Line Manager can request ICT to release this. If 'personal' emails are the subject of the investigation then the manager must consider what it is proportionate to access.
 - Whether individuals may have compromised **professional Codes of Conduct, Teacher Standards** or otherwise acted unprofessionally?
- d) Complete an investigation report seeking advice from HR and prepare to present this at any subsequent disciplinary hearing.

Planning the investigation

The Investigating Officer should:

- a) Consult with your HR Advisor who can give them advice and assist with planning.
- b) Aim to conduct the investigation as quickly as possible (dependent on the complexity of the case). S/he should make sufficient time to conduct an objective thorough and fair investigation in a reasonably swift timescale. A systematic process of investigation and an action plan should be drawn up. The plan should make it clear who is responsible for what, when and how. Consider the precise issue(s) to be investigated, the proposed time frame, who will be involved in the investigation and what administrative support will be available and how the evidence and investigation will be conducted. Timelines and monitoring arrangements for the investigation should be agreed by the Head Teacher/Governor in discussion with your HR Advisor. Communication processes should be put in place if more than one manager or Head Teacher is involved. Each manager/Head Teacher must be aware of their role and responsibilities in any subsequent action.
- c) Collect all relevant documents, correspondence, notes of meetings, notes of telephone calls, copies of policies, procedures, contracts, job descriptions, work rotas, training records etc.
- d) Decide who they may need to talk to as part of an investigatory interview, plan the order of the interviews and arrange and complete these interviews.⁸ This will include arranging for the taking of accurate notes of these interviews⁹.

⁸ DP Guidance Note 4 - Investigatory Interviews

⁹ DP Guidance Note 5 - Note taking in an Investigatory Interview

School Disciplinary Policy

- If a complaint has been received, the Investigating Officer should, where practicable, firstly interview the person who has made the complaint. (This may not always be possible, for example where a child has made the complaint.) The complainant should be asked to identify any other witnesses to the alleged incident. If the complaint is from an outside source e.g. a parent, then the involvement of the source should be as described in the Schools complaints procedure. If the complaint concerns a safeguarding issue, then this **must** be reported to Safeguarding/Family Connect who will advise on the next stages of the process.
 - Where possible and practicable the employee against whom the allegation is made should be interviewed next. (However, where an investigation is taking place under the Fraud Response Plan, Audit Services should be consulted as to the order of interviews).
 - Other interviewees/witnesses should then be interviewed.
 - It may be necessary to interview the employee, complainant and interviewees on more than one occasion during the investigation.
- e) Where the issue is a potential gross misconduct case the provisional booking of time for the hearing with the Head Teacher or Disciplinary Committee of the Governing Body is advisable. Taking this precaution is not an indication that there is a case to answer but will assist in the managing of the case in an appropriate time scale if, after full investigation, there is a case to answer.

Managing potential difficult situations during the investigation

- a) If further allegations are received or other issues for concern arise during the course of the investigation, consideration should be given as to whether these can be reasonably included in the current investigation or whether these will be investigated separately.
- b) If the employee being investigated raises a grievance during the investigation this should be considered through the grievance procedure. Advice from a HR Advisor, ideally not involved in the disciplinary investigation should be sought and a plan of action and communication agreed. If the grievance relates to the manner in which the investigation is being carried out, it may be necessary to agree a change to the Investigating Officer. The raising of a grievance should, however, not unduly lengthen the time period of the investigation.
- c) If an interviewee states that they are only prepared to make a statement in confidence, this must be considered, however the Investigating Officer cannot give an unqualified statement but can, where practicable, ensure that no unnecessary confidential information is disclosed. The Investigating Officer should be careful when dealing with evidence from a person who wishes to remain anonymous. Take written statements, seek corroborative evidence and check that the person's motives are genuine.
- d) If the interviewee fears repercussions, the Investigating Officer should offer appropriate support and make sure the interviewee is aware of the School's policies which deal with harassment or victimisation of individuals, for example the Dignity at Work policy.
- e) If the employee refuses to participate it is important the Investigating Officer makes it clear that s/he will have to compile their report on the

School Disciplinary Policy

- basis of the evidence available and if s/he does not want to participate then they may miss the opportunity of putting their full case forward.
- f) If the employee goes on sick leave during the investigation, the sickness procedure should be followed including referral to Occupational Health and the offer of access to the employee counselling service made as appropriate. If the employee is on long term sick leave the advice of Occupational Health will be required before proceeding. For example, it may be possible for an employee to be well enough to instruct someone to act on their behalf or to submit a written statement. If the employee is on short term sick leave, it will be appropriate to re-arrange meetings where reasonable, however if employees continue to miss interviews due to short term sickness a decision may be taken to proceed in their absence after reasonable attempts have been made to hold a meeting.
- g) If employees or their representatives are unable to make a particular date for an interview it is reasonable to ask them to suggest an appropriate date within 7 calendar days.

Completing the investigation

- a) When the investigation is completed the Investigating Officer should collate the evidence arrange a further meeting with your HR Advisor to consider:
- Is there any conflicting evidence and what are the potential reasons for this?
 - What evidence is potentially missing and are there further reasonable endeavours made to access such evidence?
 - Based on the evidence, is there reason to believe that misconduct has taken place?
 - Have any School disciplinary rules potentially be broken?
 - Are there any mitigating circumstances to be considered?
- b) The Investigating Officer should write up their findings in a report. If the Investigating Officer has recommended that there is a case to answer at a disciplinary hearing, the agreed report format should be used.¹⁰
- c) Any organisational learning points should be reported separately to the Management Team/Head Teacher and/or Governing Body if appropriate and an action plan established to implement them. These action plans should not make any reference to the individuals involved in the investigation.
- d) The employee and any complainant should be informed in writing of the outcome of the investigation. A copy of the investigation report should be given to the individual who has been the subject of the investigation; this may be as part of a disciplinary pack. If there is no case to answer the matter will be ended. If the original allegation was considered to be malicious then appropriate action may be instigated against the complainant where possible. If, however, the Investigating Officer considers that there is a case to answer, they should:
- Arrange a disciplinary hearing.
 - Confirm to the employee what the relevant allegations to be addressed at a disciplinary hearing are and which disciplinary rules may therefore have been breached¹¹.

¹⁰ DP Template 4 - Investigation Report for a Disciplinary Hearing

¹¹ DP Letter 5 - Invite to a Disciplinary Hearing

School Disciplinary Policy

- If the alleged misconduct is so serious that it may have broken the trust between the employee and the School and may be deemed to be **gross misconduct** and result in the employee being dismissed, the employee must also be informed of this possibility in writing.¹²
 - A disciplinary pack including the investigation report¹³ and supporting evidence should be put together by the Investigating Officer and distributed in line with the disciplinary procedure. Advice and guidance is available from HR representatives on the format of disciplinary packs as all items within the packs should be labelled for ease of reference for all parties present at the hearing. However where this is requested, Investigating Officers should ensure that sufficient time is built into the timetable for HR to consider draft disciplinary packs before distribution
- e) Advice and guidance will be given to the decision making body i.e. Head Teacher or Disciplinary Committee by HR. This is a statutory entitlement of the Local Authority to advise at hearings in community, voluntary controlled, community special and maintained nursery schools.
- f) Whatever the outcome of the investigation, sufficient records should be retained in line with School policy¹⁴.

¹² DP Letter 5 - Invite to a Disciplinary Hearing

¹³ DP Template 4- Investigation Report for a Disciplinary Hearing

¹⁴ DP Guidance Note 6 - Record Keeping

Guidance Note 4 – Investigatory Interviews

This guidance note concerns conducting an investigatory interview.

- Arranging Investigatory Interviews
- Format of Investigatory Interviews
- Questions during Investigatory Interviews

Arranging Investigatory Interviews

- a) Ensure investigation interviews are arranged with due notice and that employees and their representatives are invited appropriately¹⁵ Private rooms need to be booked for the interview and note takers available.
- b) A record of the meeting will be made by either the Investigating Officer or another note taker and followed up in line with guidance from HR¹⁶. Care will need to be taken regarding confidentiality and appropriateness of note takers.
- c) HR will attend investigatory interviews with the employee who's the subject of the complaint. In exceptional circumstances and depending on the complex nature of the case, HR may attend other investigatory interviews.
- d) Head Teachers are expected to allow employees time off from their duties to attend investigatory interviews.

Format of an Investigatory Interview

- a) Interviews should be held in a confidential environment and areas for questioning should be planned and the interview well structured.
- b) Interviewees can have a representative, friend or colleague to support them in line with the agreed disciplinary procedure.
- c) Introductions should be made and the Investigating Officer should state that the purpose of the meeting is a fact-finding investigatory interview in line with the disciplinary process.
- d) The Investigating Officer must inform all those interviewed of the seriousness of the investigation and the need for complete confidentiality. Interviewees should be informed that they should not

¹⁵ DP Letter 3 - Invite to an Investigatory Interview

¹⁶ DP Guidance Note 5 - Note taking in an Investigatory Interview

School Disciplinary Policy

discuss the substance of the investigation with others. S/he should also explain that the interviewee may be asked to attend any subsequent disciplinary hearing in the presence of the employee they have just provided a statement for.

- e) The Investigating Officer should explain that a note of the interview will be made and may be presented at any subsequent hearing and would be seen by the employee who may be facing any disciplinary action. The Investigating Officer should explain to the interviewee that they will have access to the record of the meeting and will be able to amend inaccuracies and will be asked to sign the record.
- f) When interviewing the employee against whom the allegation has been made, the Investigating Officer should inform them about the issue under investigation, give them a copy of any formal written complaint, (this should be redacted where it is not appropriate to identify the complainant), and a copy of the disciplinary procedure.
- g) Where allegations have been made under the Schools whistleblowing policy then the source of the allegations will not be disclosed if they have requested confidentiality, however the source should be reminded that the person against whom they are making an allegation may draw their own conclusion as to who the source is.
- h) If at any time during the meeting it becomes apparent that a crime may have been completed the interview should be ended and advice taken from HR and/or Audit Services before proceeding further.
- i) There should be the opportunity for a break in the meeting if necessary.

Questions in an Investigatory Interview

- a) The Investigating Officer should try to establish the names of those involved, details of what occurred, the sequence of events, date, time, place of alleged incidents and what the impact of the incident was. S/he should also consider inconsistencies in evidence and seek clarification of any ambiguities or gaps. The Investigating Officer should seek any mitigating circumstances e.g. lack of training or induction into a role.
- b) Questions should be usually be open, asking who, what, where, when, why, how? Some useful phrases are: 'in your own words....', 'tell me about,', 'describe to me,', 'give an example of,', 'how did it make you feel.....'.
- c) Closed questions are useful to establish facts. Eg 'Have you completed a training course in -----?'

School Disciplinary Policy

- d) Avoid questions which are long and have multiple parts as these may be confusing and lead to disjointed or incomplete answers.
- e) Leading questions, which may indicate what sort of response you are expecting from the interviewee and may influence their answer, should be avoided.
- f) The Investigating Officer should ask those being interviewed to be as specific as possible and to give examples of what precisely they witnessed.
- g) The Investigating Officer may ask about the context of an event, the tone of voice used, dates, times and how the incident affected them at the time. They may also ask about previous history or background to the event.
- h) It may be appropriate to ask the interviewee to mark where they were on a plan in relation to where the incident happened.
- i) Where there has been a potential data breach, ascertain as part of any investigation what the reason was for the breach. Did the employee have anything to gain? Did someone not follow a procedure? If so, should they have known the procedure? Does the issue concern professional judgement or practice? Is it a training issue?
- j) Where interviewees are reluctant to discuss issues with the Investigating Officer, s/he should try to determine, tactfully, why this is the case. S/he should explain the importance of the interview and the value of their evidence. Where reluctance is due to fear of being at risk, it may be possible to allow the interviewee to have anonymity, however this option must be balanced with the need for natural justice for the employee who is being investigated to have access to evidence against him/her.
- k) The employee should also be asked if they wish the Investigating Officer to interview any additional witnesses or whether they have any other evidence that should be considered. The Investigating Officer may need to consider the appropriateness of such requests for example where a request is made to interview a large number of people.
- l) At the end of the interview ask 'is there anything further you would like to add?'

Guidance Note 5 – Note taking in an Investigatory Interview

This guidance note provides hints and tips for note takers and Investigating Officers to ensure accurate records are made in a timely way.

- a) Note takers should meet/speak with the Investigating Officer beforehand so that they become familiar with names, job titles etc of the individuals who are to be interviewed, be aware of the times of the interviews/format of the interview.
- b) Note takers should read policy and procedure under which the interview is being conducted and take a copy of the relevant policy with them to the interview for reference.
- c) Interviews should be held in a confidential environment.
- d) There are different methods for recording fact finding interviews. The recommended method for disciplinary investigations is for the investigating Officer to ensure that a hand-written/typed contemporaneous note is taken of the interview. The notes taken during investigation interviews are very important as they give a contemporaneous account of what was actually said as opposed to subsequent accounts which may be less reliable, employment tribunals put a lot of weight on such notes.
- e) If an interviewee has requested that the meeting is tape recorded advice should be taken from HR before conducting the interview
- f) Note the date, time and names/job titles of everyone present. It is useful to make a note of start/finish times for each interview, as well as the time and duration of any breaks.
- g) The recommended format is to note the questions asked and the answers given¹⁷. The note of the interview must accurately reflect the questions asked and the answers given as it will form the official record of the interview.
- h) The note taker should not express their own interpretation of the interview in this record but what is actually said at the interview. Use the actual language/words spoken by the Investigating Officer and the interviewee.
- i) The union representative/work colleague is primarily there to support and guide the individual, but may occasionally interject and/or provide

¹⁷ DP Template 5 - Record of an investigatory Interview

School Disciplinary Policy

clarification in particular points. This all needs to be noted and correctly attributed as part of the record of the meeting with the individual in question.

- j) If the note taker needs to clarify a point or they cannot keep up with what is being said, they should interrupt politely and ask for clarification, a point to be repeated or for people to go more slowly.
- k) If the interviewee has a prepared statement ask for a copy of this so that it can be appended it to the notes.
- l) It is useful if the note taker signs and dates this contemporaneous record on each page at the end of the interview.
- m) The Investigating Officer should explain to the interviewee that they will have access to the final record of the meeting and will be able to amend inaccuracies and will be asked to sign the record.
- n) It is best practice for the Investigation Officer to arrange for the note of the interview to be typed up accurately. It is recommended that care is taken in the presentation of these records, for example by grammar, spell-checking and proof reading these records before they are given to the Investigating Officer who is responsible for ensuring they are sent out to the interviewees for signature.
- o) The interviewee should be sent the typed record together with a private and confidential letter/email asking them to confirm that they consider the record to be an accurate representation of the interview.¹⁸ They should be given the opportunity to highlight any inaccuracies, these should be changed and the record re-typed for signing. It is advisable to ask the interviewee to sign each page of the record when complete.
- p) If interviewees wish to add or change information they have submitted in their interviews, these amendments can be added to the original record but a note made that these additions/amendments were made after the interview. For example additions could be typed in italic or bold to highlight them.
- q) Once the typed record has been signed by the interviewee, it should also be signed by all present at the interview. It is advisable to ask those present to sign each page of the record.
- r) It is important that the investigation is completed in a timely way. To facilitate this, interviewees must be given a specific time limit to return

¹⁸ DP Letter 4 - Sending record of an Investigatory Interview

School Disciplinary Policy

signed copies of records of interviews. It is recommended that return within 7 calendar days is required. The Investigating Officer should arrange for unreturned signed records to be chased up. If no agreement or signature can be obtained the Investigating Officer should inform the interviewee that the unsigned record may be put forward as evidence and decisions based on these. It will be noted on the record, however, that the record has not been agreed or signed.

- s) Treat all information in confidence; do not discuss the case with anybody outside the investigation and keep all documentation secure.

Guidance Note 6 – Retention of Records

This guidance note concerns retention of records following a disciplinary investigation.

Retention of records

- a) The Investigating Officer's report and appendices are the key documents in this process. The ACAS Code of Practice states that records must be treated as confidential and kept no longer than necessary in accordance with the Data Protection Act 1998. This Act gives individuals the right to request and have access to certain personal data. A copy of the investigation report should therefore be given to the individual who has been the subject of the investigation. In certain circumstances (for example to protect a witness) the employer might withhold/redact some information.
- b) If the Investigating Officer concludes that there is no case to answer then it is recommended that the investigation report should be kept securely for no longer than 3 months and then destroyed as confidential waste in line with School procedures unless it is necessary to keep such records for an external audit review, as part of the records necessary to protect children or vulnerable adults or as a requirement of any other School policy.
- c) If the investigation results in further action or a disciplinary hearing, a copy of the report and the disciplinary pack will be retained for a time limit which will be determined by the nature and outcome of the case. This will be for a minimum of 3 months but will generally relate to the length of any sanction imposed except in the case of safeguarding issues regarding vulnerable groups where information must be retained permanently. If the case is referred to a professional body for their consideration the records will need to be retained until the point they have fully considered the case. These time limits will be no longer than is reasonably necessary and once expired; documentation will be destroyed as confidential waste in line with School procedures.

Disciplinary Letter 1 – Retention of Records

PRIVATE & CONFIDENTIAL

Dear

Fact Finding Investigation

Following our meeting today I am writing to formally confirm that an investigation is going to be undertaken **[insert details]**.

This investigation could lead to action under the School's Disciplinary Procedure and a copy is enclosed for your information along with a copy of the Disciplinary Rules.

You should not discuss issues related to this investigation with any colleagues, Governors, parents, pupils or press as this may prejudice the investigation.

[Insert name and job title of Investigating Officer] has been appointed to undertake this investigation and they will be in touch with you shortly to invite you to a fact-finding interview to allow you to explain, comment and answer questions on the concerns which have been raised. You are encouraged to be accompanied by a trade union representative or another representative at this interview.

You will be expected to make yourself reasonably available to attend any interview or subsequent hearing.

I understand that this investigation may cause you some concerns and the following support arrangements are available for you.

- a) The council has a free confidential employee counselling service, details of this are noted on the enclosed leaflet.
- b) If you are member of a trade union you should contact them as they will be able to provide advice and guidance to you and they will be able to accompany and represent you at meetings.
- c) If you are not a member of a trade union you may wish to contact the local citizens advice bureau for advice.
- d) A leaflet is enclosed that provides you with relevant information on the process of the investigation.

If you have any queries please contact (name)

Yours sincerely

[Line manager]

Cc: Investigating Officer
Business Partner, People Services

Enc: Disciplinary procedure and disciplinary rules
Counselling leaflet

School Disciplinary Policy

Information for employees facing investigation for potential misconduct
leaflet

Disciplinary Letter 2 – Suspension Letter

PRIVATE AND CONFIDENTIAL

Dear

Confirmation of Suspension from employment on full pay

Further to the discussion you had today with **[insert name, job title]** I am writing this letter to confirm that you are on suspension from your employment as **[insert job title]** with immediate effect.

The decision to suspend you follows serious concerns about **[insert reason for suspension]**.

During your period of suspension you will receive your normal contractual pay. You will be expected to make yourself reasonably available to attend any interview or hearing. If you wish to take annual leave at any time during this suspension you should inform me as soon as possible.

You should not return to **[insert work place]** during the period of suspension without prior agreement with me. Failure to seek such prior permission may in itself be treated as serious misconduct. You will also be asked to return council equipment such as any laptop, mobile phone, keys and School identity badge during your period of suspension.

Whilst you should not discuss issues related to your suspension with work colleagues, you may contact your work colleagues, if they are in agreement, to discuss other issues and to ensure that your working relationships are maintained.

You should, however, not discuss issues related to this suspension with any Governors, Parents, Pupils or press as this may prejudice the investigation.

Within the context of this procedure, suspension from work is not a disciplinary measure in itself and should not be seen as punitive or pre-judging the outcome of the disciplinary process. I must emphasise that suspension does not imply guilt and should the disciplinary process result in a decision that there are no grounds for disciplinary action against you, you will resume your normal duties, and this suspension will not have any adverse affect on your future employment with the School.

I understand, however, that suspension from work can cause concern and the following support arrangements are available for you.

- a) An independent HR Advisor, [insert name] will be available to meet with you and discuss the process with you. They cannot however represent you at any stage. They can be contacted on 01952 [insert number].**

School Disciplinary Policy

- b) has Access to the Local Authority's free confidential employee counselling service, details of this are noted on the enclosed leaflet.
- c) If you are member of a trade union you should contact them as they will be able to provide advice and guidance to you and they will be able to accompany and represent you at meetings.
- d) If you are not a member of a trade union you may wish to contact the local Citizens Advice Bureau for advice.
- e) We will inform you what information we have given to your work colleagues and anyone else.
- f) We will agree with you how you wish to be updated on general developments and news in your work place.
- g) An Investigating Officer will meet with you and agree how they will keep you updated as to the progress of their investigation. They will also review the need for your suspension from work on a regular basis.

An investigation will now be undertaken in relation to the above matter before a decision is taken as to whether any concerns need to be dealt with within the disciplinary procedure. I have, however, attached a copy of this procedure and the disciplinary rules for your information.

An appropriate Investigating Officer will be appointed shortly and they will invite you to a fact-finding interview to allow you to explain or comment on the concerns which have been raised. You are encouraged to be accompanied by a trade union representative or another representative at this interview.

Please acknowledge receipt of a copy of this letter by signing and returning the attached copy of this letter in the prepaid envelope enclosed.

Yours sincerely

[Line manager]

Encs

Disciplinary procedure and disciplinary rules

Employee information/counselling leaflet

Information for employees facing investigation for potential misconduct leaflet

I acknowledge receipt of a copy of this letter dated _____ and the enclosures listed above.

Signed _____

Date

Name _____

Disciplinary Letter 3 – Invite to Investigatory Interview

PRIVATE & CONFIDENTIAL

Dear

Investigatory Interview

I am writing to you to invite you to attend an investigatory interview at **[insert venue]** on **[insert date]** at **[insert time]**. Please report to reception and ask for me.

The purpose of this interview is to gather facts as part of the investigation I am currently undertaking into the issue concerning **[insert issue being investigated]**.

At the interview I will be accompanied by **[insert name, job title]**.

You will be able to be accompanied by a trade union representative or person of your choice at this interview should you wish. They do not, however, have the right answer questions on your behalf. If you wish to have someone with you it is your responsibility to arrange this and I should be grateful if you could let me have the name of any chosen companion before the interview.

A note will be taken at the meeting by **[name]**. Following the meeting this note will be sent to you as a typed record to review and sign as an accurate representation of the interview. This typed record will form part of any investigation report ***[which will be copied to the subject of the investigation and their representative. If this investigation results in a Disciplinary Hearing then this note will be circulated as part of the report to the members of the Disciplinary Panel. Please be advised that you may be asked to attend any disciplinary hearing as a witness]**.

I would be grateful if you could confirm your attendance at this interview by **[day before the interview]**. If you have any queries regarding this letter then please do not hesitate to contact me.

Yours sincerely

[Investigating Officer]

*** Only include if inviting a witness.**

Disciplinary Letter 4 – Sending record of Investigatory Interview

PRIVATE & CONFIDENTIAL

Dear

Re: Investigation Meeting – insert date

Thank you for attending the investigation meeting on **[insert date]** with me and **[insert name and job title]** and **[insert name]** your Trade Union Representative/representative.

I enclose two copies of the typed record of the investigation meeting for you to check to ensure that it represents an accurate record of the interview. If you are in agreement with the contents of this record please could you sign and return one copy to me in the envelope provided, and retain one copy for yourself. If you feel there are any amendments you would like to make, please feel free to make these on the statement before signing and returning it to me. If you are making these amendments electronically please do so as tracked changes.

I would request that you return this record by **[date one week from date of letter]** If you do not return this signed statement by the specified date then this will be taken to be an accepted record of the interview.

If you have any questions or queries regarding this letter or the content of the note please do not hesitate to contact me on the above number.

Yours sincerely

[Investigating Officer]

C.c. Trade Union Representative

Disciplinary Letter 5 – Invite to Disciplinary Hearing

PRIVATE & CONFIDENTIAL

Dear

Outcome of Investigation: Disciplinary Hearing [insert date]

You are aware that an investigation has been carried out by **[insert names of investigating officer(s) and their job titles]** regarding concerns which had been raised about your alleged conduct.

Following the conclusion of this investigation it is necessary for you to attend a disciplinary hearing. This will be chaired by **[insert names of chair and they will be supported by insert name of PS rep]** in accordance with the School's disciplinary policy. I have enclosed a copy of the disciplinary policy and disciplinary rules for your information.

The disciplinary hearing will take place at **[insert time]** on **[insert date]** at **[insert venue]** Please report to the reception desk on arrival and ask for **[insert contact name]**

Allegations

The following allegations will be considered at the hearing

Allegation 1 [Insert Details]

Allegation 2 [Insert Details]

It is alleged that that you have therefore breached the following disciplinary rules:

[Insert applicable rules (eg 5.1.6. Any act which could bring the Council into disrepute or could result in action against the Council for negligence or breach of trust - etc)

It is also alleged that your actions contravened the expected standards of behaviour for employees as set out in the Employee Code of Conduct etc. The disciplinary panel will consider what, if any, appropriate action to take after considering all of the evidence. The possible warnings and sanctions which they may decide to issue are explained in the enclosed disciplinary policy.

[Insert the following if allegations are potential misconduct]

If the allegations are upheld at the hearing they may be deemed to be gross misconduct. This means that the misconduct would be so serious that it breaks the trust between the employee and the School and cannot under any circumstances be tolerated. If the disciplinary panel decides that your actions were gross misconduct this may result in you being dismissed without notice from your job(s) with the School.

Suspension [insert this paragraph if not currently suspended]

School Disciplinary Policy

As the allegations may be considered to be gross misconduct, you will be suspended from your job with immediate effect pending the outcome of the disciplinary hearing. The terms of your suspension are set out in the attached letter.

OR

As the allegations may be considered to be gross misconduct, I have also reviewed the decision to place you on Special Leave with effect from **[insert date]** and have concluded that you should now be formally suspended pending the outcome of the disciplinary hearing. The terms of your suspension are set out in the attached letter.

Format of the Disciplinary Hearing

The disciplinary hearing will follow a formal agenda so that everyone has an opportunity to put forward evidence and ask questions of each other. Appendix 1 of the attached disciplinary policy sets out how the disciplinary hearing will be conducted. If you have any questions about the disciplinary policy or the format of the hearing you can contact insert name of appropriate People Services adviser (**insert contact details**). Please note that they will only be able to provide advice on the disciplinary policy and format of the meeting, they will not be able to act as your representative.

Right to be represented

You have the right to be represented by a trade union representative or person of your choice. I understand that your representative will be **[insert name if known]**. Please inform me who your representative will be at this hearing.

Documentary evidence

I have enclosed a copy of the investigation report and supporting evidence and documents. Any further evidence available may be forwarded to you by insert date

If you also wish to provide any documentary evidence for the disciplinary panel to consider, please let me know as soon as possible and in any event, no later than five working days prior to the hearing, by **[insert date]**. I will then arrange for your documentary evidence to be submitted to the panel in advance of the hearing.

Witnesses

I will be asking the following witnesses to attend the hearing. **[Insert names & Job Titles]**. Witness statements are included in the enclosed documentation and you and your representative will have the opportunity to ask questions of these witnesses at the hearing.

You also have the right to call witnesses. If you wish to do so please let me know as soon as possible so that appropriate arrangements can be made.

Employee Counselling Service

I understand that this may be a difficult time for you and I would like to take the opportunity to remind you that the council has a confidential employee counselling service which you may access. Details of this are available from Occupational Health on 01952 383631.

Confirmation of attendance

School Disciplinary Policy

I should be grateful if you would confirm, in writing or by email, whether or not you will be attending the hearing. Please note that if you do not attend, the hearing may still go ahead and a decision may be made in your absence on the information available and you would be notified of the outcome in writing. If you consider yourself to have a disability and require reasonable adjustments to attend the hearing, please let me know as soon as possible so that appropriate arrangements can be made.

Yours sincerely

[Name & Job Title of Investigating Officer]

Encs

Investigation Report
Documentary Evidence
Disciplinary Policy
Disciplinary Rules

Copies to

Employee Representative
Disciplinary Panel

Checklist/Template 1 – Invite to Disciplinary Hearing

Issue	Controls/Actions	Tick as applicable
POTENTIAL SERIOUS ISSUE		
<i>Give Brief Detail of Issue</i>	Convene a planning meeting Inform appropriate officers Appoint an Investigating Officer Secure evidence e.g. remove IT equipment or Files Ask staff to make an immediate note of incident to ensure that facts are captured. Gather immediately available evidence Consider whether suspension/special leave/other adjustments required Prepare communication plan (inc PR) If employee has more than one job consider if other service needs to be informed. Plus Actions below as necessary	
Safeguarding Issue	Liase with Safeguarding Officer/Family Connect potential Joint Strategy Meeting	
Potential criminal offence	Ensure Audit & Information Governance involved	
Potential Data breach	Follow School Policy.	
Health & Safety Risk	Ensure safeguards put in place	
POTENTIAL MINOR ISSUE		
<i>Give Brief Detail of Issue</i>	Consider Training Supervision Reminder/Letter Amend Procedures Inform appropriate officers	

Completed by _____ Date _____

Checklist/Template 2 – For Suspension

	Completed
<p><u>Prior to Suspension meeting</u></p> <p>Head Teacher/Governor considers the need for and alternatives to suspension with HR</p> <p>If suspension proposed inform the Chair of Governors and Local Authority.</p> <p>Prepare Suspension Letter and enclosures with advice from HR</p> <p>If employee is a trade union representative liaise with HR to contact an appropriate regional representative.</p> <p>Contact the employee requesting them to attend a meeting and advise that they can be accompanied by trade union representative, friend or colleague. Follow up in writing where timescale allows.</p> <p><u>Suspension Meeting</u></p> <p>Inform the employee that the meeting has been called as a result of the allegations and state these allegations. State that the allegations are considered to be so serious that, if substantiated, may constitute gross misconduct which represents an irrevocable breach of the implied duty of mutual trust and confidence in their contract of employment. As such if one or more of the allegations are substantiated it may place their employment with the School at risk.</p> <p>Discuss all of the information, terms and instructions contained in the suspension letter and ask the employee whether they understand and have any questions and inform the employee whom they can contact to answer any queries on the disciplinary investigation process. Inform the employee how, what and when colleagues /pupils will be told.</p> <p>Ensure that employees declare and hand over their ID, swipe card and any papers or documents they use in their School duties and any School equipment i.e. mobile phones, blackberry, laptop/tablet, keys. Obtain a written statement of the returned items which has been signed by the employee¹⁹</p> <p>Ensure that the employee is able to get home safely and are given the Counselling Leaflet & Guidance Note for suspended employees and employees facing investigation.</p> <p><u>During Suspension</u></p> <p>Review the need for suspension regularly as investigation progresses. Keep the employee informed of the progress of the investigation and the reviews of suspension.</p> <p>Either reinstate employee, giving them confirmation in writing and agreeing re-integration process into work or continue suspension until a decision is made on their future employment.</p> <p>Completed by _____ Date _____</p>	

¹⁹ See DP Template 3 - Employee Statement of returned items.

Checklist/Template 3 – Employee Statement of returned items

Employee Number:	
Full name:	

Equipment returned to manager:

Serial Number/other reference	Item

I certify that I have returned all papers, files (electronic and paper) and any other documents used by me in the course of my duties, together with all equipment that has been issued to me during my employment. I also confirm that I no longer hold any document or file belonging to the School.

Signed (Employee)

Date

Signed (Manager)

Date

Note if employee is on sick leave, manager should arrange to meet with them to collect items, immediately return of items is required

Checklist/Template 4 – Confidential Disciplinary Investigation Report

Notes

This template is recommended for investigation reports which are to be submitted as part of a disciplinary pack for a hearing.

The report template follows the format that the agenda of a disciplinary hearing will take. Using this format will therefore make the presentation of the case against the employee easier for the panel to understand and for the employee and their representative to respond to.

It is necessary to attach all documentation and evidence that may be referred to or relied upon by the investigating officer.

A list of this documentation should be included as an index at the start of the report. The index in the template gives examples of items which may be appropriate to include. Additional items may be included or others omitted depending on the particular circumstances.

It is always useful to have one appendix which is a 'timeline of events', an overview/list of main relevant events leading up to the investigation and during the investigation.

Ensure everything is numbered correctly (paragraphs and page) and easy to follow, in a logical order.

It would be useful to have the report in a ring binder file or similar and to use tabs or dividers so that appendices can easily be located. This will make referring to the documentation for all parties at the hearing easier and simpler.

Towards the end of the hearing when the employee has presented their case, the presenting officer will have the opportunity to summarise their case and to emphasise the main points of the case against the employee and the effect of their actions. No new information will be allowed at that stage of the hearing so investigating officers are advised to include any relevant information upon which they intend to rely in their investigation report.

Note. It is the role of the Investigating Officer to ascertain whether any potential misconduct/gross misconduct is likely to have taken place based on the evidence they have considered. It is not the role of the Investigating Officer to give their recommendation as to the level of sanction to be given by the panel hearing the disciplinary.

Confidential Disciplinary Investigation Report

Disciplinary Hearing Details	<u>Insert Date, Time and Venue</u>
Employee Details	<u>Insert Employee Name, Employee Number, Job Title and Service Area</u>
Investigating Officer	<u>Insert Investigating Officer's Name and Job Title</u>

Index of Appendices

Appendix	No
Timeline of events	1
Specific evidence which supports the investigation eg letter from a service user	2
Letter(s) to employee confirming investigation process and suspension or special leave if applicable	3
Signed record of Interview with employee under investigation	4
Signed record of Interview with each witness	5
Employee's current job description & person specification	6
Employee's training record	7
Relevant School Procedure/Code of Conduct/Guidance Notes	8
Disciplinary Policy & Disciplinary Rules	9

1. Summary of circumstances leading to the investigation and the specific allegations to be addressed at the disciplinary hearing

If the case does go to a disciplinary hearing the officer presenting the case against the employee will be asked to present in a summarised form, the circumstances that have led to the hearing and set out what specific allegations are being made against the employee. This section of the report should be written so that if necessary it can be read out at that point of a hearing.

The issues to be considered arose from an **event/series of events** which occurred **on date or between dates**

The issue was originally identified as a result of **insert reason(s) and brief details e.g. complaint (Include the name of the employee(s) and their job titles against whom any allegation have been made)**

Following an assessment of the initial evidence available, I was appointed as Investigating Officer. I was advised by **insert name and job title of any advisers.** Notes were taken by **insert name and job title of any note takers.**

As part of my investigation I carried out interviews with the employee, **insert the name of the employee.**

I also interviewed witnesses to the alleged incident and examined other evidence as detailed in the documents attached to this report. I intend to call **insert the name and job titles of any witnesses who will attend the hearing to give evidence at the hearing.**

As a result of my investigation I concluded and recommended that a disciplinary hearing should be convened to address the following allegations

*Allegations should be based on evidence and should only be made if the Investigating Officer concludes that the incident or non-compliance is very likely to have happened. The allegation should be linked to the breach of disciplinary rules and should state what actually happened. **An example** is given below*

Allegations

Allegation 1: ***On 'date', 'employee name' consumed alcohol whilst on duty***

Allegation 2: ***'Employee name' then proceeded to use machinery whilst under the influence of alcohol***

These actions would mean that **insert the name of the employee** has therefore breached the following School's disciplinary rules:

Relevant Disciplinary Rules

Rule number: *5.5 Breaches of, or wilful refusal to comply with Health and Safety instructions and regulations*

Rule number: *5.6 Wilful refusal or failure to comply with any School/Employers Policy*

Rule number: *5.7 Any act which could bring the School into disrepute or could result in action against the School for negligence or breach of trust*

2. The details of the case

At the hearing, after the allegations have been presented, the employee will be asked whether they accept or deny the allegations. The presenting officer will then be asked to present the details of the case. This section of the report should be written so that, if necessary, it can be read out at that point of a hearing.

Investigating officers are advised to include any relevant information upon which they intend to rely during the hearing.

This section establishes the foundation of fact upon which you have based the need for a disciplinary hearing. You should make your findings as easy to follow as possible. Follow a logical order and make sure that you reference the source of all relevant facts, observations, policies, procedures and practices. Ensure that sections and paragraphs are numbered for easy reference.

Give brief details of the employee against whom any allegation has been made include their business unit, job title and how long they have been employed in that job and by the School in total. Briefly outline their key responsibilities. (Include a job description in an appendix).

As others are introduced into the report for the first time indicate their name and job title and role as appropriate. An organisational structure may be useful as an appendix. Include anything else which will help to 'set the scene' for the reader of the report who may not be familiar with the service area.

Clarify the timeline of events. (Include a detailed timeline in an appendix and refer to this).

Explain what you reasonably believe has actually happened based on the evidence you have considered.

Consider the employee's explanation of what happened and any potential mitigating factors or conflicting evidence

Highlight the salient points of any interview records or evidence (Refer to statements of the employee and other witnesses).

You should keep facts separate and clearly identifiable from opinion. It is useful to distinguish between the facts that you have been told and those you have personally observed or verified. Address strengths and weaknesses in the facts and issues. Looking at your data and methodology, explain why evidence is reliable or the assumptions you have used are reliable. If the evidence is inconclusive say so. It is the role of the Investigating Officer to explain how significant any evidence is.

School Disciplinary Policy

Explain the expected level of behaviour and how the employee has fallen short of this. Make reference to any procedures that have not been followed. (Refer to appendices).

Consider whether any disciplinary rules have been breached and if so what and how. (Refer to School's disciplinary rules).

Demonstrate whether the employee has had sufficient training, support and information to enable them to comply with procedures. (Refer to training record, job description etc in appendices).

Consider the effect of the misconduct on customers and colleagues. Consider the risks, if applicable, to the School's reputation, clients, staff, budget etc.

Having considered all the evidence my findings led to the conclusion that a hearing was necessary to address the allegations set out in section 1 of this report.

Signed _____ Date _____

Investigating Officer

Appendix 1

Timeline of Events

Date	Event	Source of information/page ref

Checklist/Template 5 – Record of Investigatory Interview

NAME OF INTERVIEWEE _____

DATE _____ **VENUE** _____

IMPORTANT NOTE

This interview is strictly confidential and participants should not discuss or share the content of this interview with others unless authorised to do so by the Investigating Officer.

This record may form part of an investigation report which may be copied to the subject of the investigation and their representative. They may also form a part of a pack of evidence circulated to any subsequent disciplinary panel if it is necessary to convene a disciplinary hearing. Those present at interviews may be asked to attend such a hearing as a witness and will be questioned on this record.

Record of those present

Role	Name	Signature
Interviewee		
Investigating Officer		
People Services Representative		
Employee's representative		
Note taker (if none of above)		

School Disciplinary Policy

Agenda

1.	IO	<p>Introductions – if they are not accompanied by a representative then remind them that they can be and are they happy to proceed.</p>
2.	Inv. Officer (initials only)	<p>This is a formal investigation that this being undertaken into some concerns in respect of [insert detail].</p> <p>This interview is confidential and the contents should not be shared or discussed with anyone else unless you have my permission to do so from me as the investigating officer.</p> <p>The record of this interview will be typed up and you will be asked to review and sign this record to confirm that you are happy that this is an accurate account of the interview.</p> <p>Employee being investigated then insert: This record will form part of an investigation report. If it is decided to progress this matter to a Disciplinary Hearing on the basis of the evidence collated then this record will form part of the pack of information that will be presented to the Disciplinary Panel and you will be questioned on this record at the hearing.</p> <p>Witness then insert : This record will form part of an investigation report and may be shared with the subject of the investigation and their representative. If it is decided to progress this matter to a Disciplinary Hearing on the basis of the evidence collated then this record will form part of the pack of information that will be presented to the Disciplinary Panel. You may also be asked to attend the Disciplinary Hearing as a witness and will be questioned on this record.</p>
	Interviewee (Initials only)	<p>Do you have any questions regarding this and are you happy to proceed?</p> <p>[Insert response]</p>
3.	Inv. Officer (initials only)	<p>[insert question here]</p>
	Interviewee (initials only)	<p>[insert response here]</p>

School Disciplinary Policy

4.	Inv. Officer (initials only) Interviewee (initials only)	[insert question here] [insert response here]
5.	Inv. Officer (initials only) Interviewee (initials only)	[insert question here] [insert response here]
6.	Inv. Officer (initials only) Interviewee (initials only)	[insert question here] [insert response here]
7.	Inv. Officer (initials only) Interviewee (initials only)	[insert question here] [insert response here]
8.	Inv. Officer (initials only) Interviewee (initials only)	Can you confirm the names of anyone else that you feel we need to speak to as part of this investigation? [insert response]
9.	Inv. Officer (initials only) Interviewee (initials only)	Do you have any final questions for me?
	Inv. Officer (initials only)	A copy of these notes will be typed and sent to you for you to review. Thank you very much for coming today.

Investigation Plan

[Amend as required]

Investigator	
Terms of reference	
Provisional time-frame	
Policies and procedures to review and follow	
Issues that need to be explored/clarified	
Sources of evidence to be collected	
Persons to be interviewed (including planned order of interviews)	
Investigation meetings further arrangements (When/where/notes to be taken by)	
Persons to supply own statement	
Investigation meetings to be completed by	
Collection of evidence to have been completed by	
Further considerations	

School Disciplinary Policy

Approval Information – Governors

Position	Chair of Governors
Name	Mr Paul Evans
Signature	
Date	

Position	Parent Governor
Name	Mrs Rachel Baugh
Signature	
Date	

Position	Parent Governor
Name	Mrs Helen Ashby
Signature	
Date	

Position	Mrs Rachel Wright
Name	Staff Governor
Signature	
Date	

Position	Foundation Governor
Name	Rev H Morby
Signature	
Date	

	LA Governor
Name	Mr Nick Eyles
Signature	
Date	

Position	Foundation Governor
Name	Mrs P Jones
Signature	
Date	

Position	Parent Governor
Name	
Signature	
Date	

Position	Co-opted Governor
Name	Mrs Alison Moore
Signature	
Date	

Position	Foundation Governor
Name	
Signature	
Date	

Position	Executive Head Teacher
Name	Miss Helen Osterfield
Signature	
Date	

Position	Co-opted Governor
Name	Mr Jack Pierce
Signature	
Date	

Position	Co-opted Governor
Name	Mrs Sarah North
Signature	
Date	