

Embrace
S C I T T

Disciplinary Policy

Policy Version & Issue Date:	Version 1 – September 2023
Versions available at:	Embracetsh.co.uk
Hard copies made available from:	Embrace SCITT (upon request)
Date of next review:	September 2025
Person(s) Responsible for Review:	Head of SCITT & Operational Leadership Group
Approved by:	Strategic Leadership Group
Adoption date:	02.10.2023
Signed on behalf of the Strategic Leadership Group:	

Ms Angela Holdsworth MBE

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CEO & Accounting Officer Ms A Y Holdsworth MBE

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1. Purpose

- 1.1.** The purpose of this policy is to provide clear procedures for dealing with concerns raised by Embrace SCITT or its partner schools about a trainee's conduct in line with Embrace SCITT's Code of Conduct, Part 2 of the National Teacher Standards – Personal and Professional Conduct and policies from Embrace SCITT and its Partner Schools. Trainee is a term used to refer to provider-led trainee. Nothing in this policy is intended to form the basis of a contract between the SCITT and Trainee. The SCITT may amend this policy at any time.

2. Scope

- 2.1.** Failure to abide by the Embrace SCITT Code of Conduct and breach of school policies will result in a disciplinary process for trainees. Any audio or video recordings of meetings or discussions held pursuant to this Policy by the Trainee are strictly prohibited. Any actual or suspected recording may be dealt with as a separate serious disciplinary matter.
- 2.2.** Examples where this policy may be required to be implemented are:
- i. Any action which is deemed to be in direct contravention of Part 2 of the National Teacher Standards – Personal and Professional Conduct, such as:

<i>Trainee persistent absence or poor punctuality.</i>	<i>Inappropriate use of social media</i>	<i>Breach of confidentiality</i>
<i>Dishonesty or fraud</i>	<i>Drug, alcohol or substance misuse</i>	<i>Persistent inappropriate behaviour or attitude</i>
<i>Aggressive, violent or threatening behaviour</i>	<i>Safeguarding concerns</i>	<i>Financial misconduct</i>
<i>Criminal conviction or caution (including failure to disclose any new cautions or convictions)</i>	<i>Damage to Sea View Trust, Embrace SCITT or a Partner School's property</i>	

- 2.3.** Please note that the above is not an exhaustive list and the SCITT fully reserves its right to identify other conduct which may be subject to the terms of the policy.

3. Process

3.1. Stage 1:

- i. Any concern or disciplinary matter should be raised and resolved at local level if possible in the first instance, for example by the School-Based Mentor or Lead Mentor if it is a placement issue or by the Programme Leader / Head of SCITT if not.
- ii. An informal meeting will be held with the trainee to discuss the problem.
- iii. Instructions, guidance and informal warnings may be recorded in writing and referred to at a later stage to evidence that an informal approach was attempted and the success/failure of such approach.

3.2. Stage 2:

- i. If the disciplinary matter is not resolved at stage 1, or is considered serious, it needs to be reported at stage 2.
- An Adjudication Meeting will be held between the trainee and the Programme Leader or Head of SCITT with another member of the SCITT personnel – a School Leader or the Lead Mentor.
 - Trainees will be given reasonable notice of the meeting and will be provided with information relating to the concerns in writing, either within the meeting letter or as attachments.
 - Trainees are required to attend the Adjudication Meeting.

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- When responding, trainees will have the opportunity to offer mitigating circumstances if applicable.
- Trainees can be accompanied to an Adjudication Meeting by a trade union representative or a colleague. No legal representatives will be permitted.
- It is expected that the trainee will engage directly with the host of the appointment and the person(s) accompanying the trainee is welcome to be in attendance, in support only.
- Trainees should note that information relevant to the concerns may be discussed that they have not made the person(s) accompanying them aware of and should be prepared for the Adjudication meeting to continue even if they wish the person accompanying them to leave.

ii. Trainees with a disability or specific learning difficulty are invited to notify the host of the Adjudication Meeting in advance if they would like additional assistance or reasonable adjustments before or during the process.

iii. Where it is judged that misconduct has occurred or has been admitted, appropriate outcomes/sanctions may be applied.

3.3. Written confirmation of the outcome will be provided to the trainee and retained on the trainee record.

3.4. Outcomes or sanctions which may be issued can include, but are not limited to one or more of the following:

- a) Acknowledgement of the breaches but no further action.
- b) Verbal warning, recorded on the trainee file
- c) Written warning, recorded on the trainee file.
- d) Referral to a Disciplinary Hearing

3.5. Trainees will receive a copy of the notes from the meeting for information. If no misconduct is determined, a copy will not be held on the trainee's file.

3.6. Not complying with this procedure or the resulting action plan where applicable, may result in an immediate referral to a Fitness to Train Review Board.

3.7. Stage 3 – Fitness to Train Review Board

i. A Fitness to Train Review Board may be convened in, but is not limited to, the following circumstances:

- Where a complaint/allegation is more serious than one which could be dealt with at stage 2.
- On completion of any Police or other criminal investigations.
- As a result of a vexatious allegation under the Trainee Complaints Policy and Procedure.
- A serious allegation/complaint or repeated failure to follow the Code of Conduct, SCITT and/or school policies which would not be appropriate due to its seriousness to be dealt with at stage 2.
- Please refer to the 'Fitness to Train Policy' (Section 7 onwards) for further information.

4. Office of the Independent Adjudicator


4.1. Once the review stage is completed, the Trainee is entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA), the independent ombudsman service, to review their appeal about the outcome of the Embrace SCITT Fitness to Train process. The appeal should be submitted to the OIA within 12 months of the date of the Completion of Procedures letter from the Chair of the Review Panel.

5. Data Protection

5.1. Embrace SCITT will retain data related to the investigation for 7 years from the start of the investigation and after this time all data will be deleted. All data will be stored securely during this time.

5.2. All investigations will be treated confidentially. Embrace SCITT will only disclose information to those who need it to investigate or to respond to the issues raised.

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- 5.3.** When a Trainee responds to an investigation they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the Trainee themselves and kept to that which is necessary for the submission being made. For example, if the investigation is based on the health of a family member, Embrace SCITT does not need to see the detailed medical information about that person.