



# Staff Disciplinary Policy

## Contents

1. Aims .....	1
2. Legislation and guidance .....	1
3. Definitions and scope .....	1
4. Disciplinary procedures .....	2
5. Appeals process .....	6
6. Record keeping.....	6
7. Monitoring arrangements.....	7
8. Links with other policies.....	7
Appendix 1: instances and behaviours classed as misconduct .....	7

---

## 1. Aims

This policy aims to:

- › Help and encourage all employees to achieve and maintain satisfactory standards of conduct
- › Set out the procedures for when an employee's conduct falls below the expected standard
- › Ensure that all employees are treated fairly and consistently when a disciplinary issue is being dealt with

## 2. Legislation and guidance

We are required to set out our disciplinary procedures under general employment law.

These disciplinary procedures are based on the [Acas Code of Practice on disciplinary and grievance procedures](#).

These procedures also comply with our funding agreement and articles of association.

## 3. Definitions and scope

- › **A disciplinary issue** will arise when an employee is alleged to have behaved or acted inappropriately and/or contrary to the staff code of conduct
- › Appendix 1 sets out a non-exhaustive list of examples of what we define as **misconduct and gross misconduct**. For the purpose of this policy, misconduct does not cover staff capability or poor performance issues. These are addressed in our Capability Policy.

- › This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns
- › This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time

## **4. Disciplinary procedures**

### **4.1 Minor disciplinary issues**

Minor disciplinary issues will be dealt with informally at first, and will be escalated only where:

- › There has been no resolution
- › The issue is more serious
- › There are repeated or multiple instances of misconduct
- › There is suspected gross misconduct

When dealing with an issue informally, the employee's line manager will organise a meeting with the employee and set out the concerns. This meeting will be held without undue delay whenever there is cause for concern. The line manager will remind the employee of the expected standard of behaviour and consider what support is needed to help them improve. Notes will be taken and retained. Where appropriate, a note of an informal discussion may be placed on the employee's personnel file.

If the issue cannot be dealt with informally, for example due to the seriousness of the alleged misconduct, or if the matter is not resolved following an informal meeting, formal procedures will begin. The employee will be notified of this in a face-to-face meeting with the Executive Headteacher to be held in person, or over video conferencing if necessary. This will be followed up in writing.

See appendix 2 for details of formal disciplinary procedure

### **4.2 Suspension**

In some circumstances it will be appropriate to suspend a member of staff temporarily, for example where there is suspected gross misconduct. This in itself does not constitute disciplinary action or imply that any decision has been made about the allegations.

Where suspension is necessary:

- › The Executive Headteacher or Chair of Trustees must authorise the suspension. If it is the Executive Headteacher who is the subject of the disciplinary procedure, the Board of Trustees must authorise the suspension
- › Where possible, the employee will be informed of the suspension in a face-to-face meeting held in person, or over video conferencing if necessary, followed by a notification in writing within one working day
- › The employee will be permitted to be accompanied to the meeting by a colleague, a trade union representative or a trade union official
- › The employee will be suspended on full pay
- › While an individual is suspended, they must not visit school premises or contact any pupils, parents/carers or other members of staff, unless authorised to do so by the Executive Headteacher

**See Appendix 3 for details of the suspension process**

### **4.3 Investigation**

When formal disciplinary procedures begin, an independent investigating officer will be appointed under the scheme of delegation. This will be a member of staff who is not involved in the disciplinary issue.

The investigating officer will gather the facts of the case and evidence. The purpose of this investigation is to determine whether a formal disciplinary hearing is required by gathering the facts and any evidence relating to the disciplinary allegations.

The investigating officer will hold an investigation meeting with the employee in question, and seek HR advice as appropriate. The investigation meeting will be held solely for the purposes of fact finding, and no decision on disciplinary action will be taken until after the investigation has been concluded or, if required, a formal disciplinary hearing has been held.

If relevant, the investigating officer will hold meetings with identified witnesses. Notes can be taken during these meetings and the witness asked to sign a copy to form a witness statement. Alternatively, the witness can write and submit a witness statement.

The employee will be provided with a copy of the following information

A copy of the disciplinary procedure.

Copies of available information

Time and date of investigation meeting

Right to representation at any meeting

The employee will be informed of the outcome of the investigation in writing.

If the investigating officer determines that the matter should move forward to a formal disciplinary hearing, a disciplinary officer will be appointed to lead the disciplinary hearing. This will be a person independent from the investigating officer and they will be appointed by Executive Headteacher

The investigator will adjourn the meeting /investigation if other areas of concern require investigation

#### **4.4 Notification**

If it is decided that there is a disciplinary case to answer, the employee will receive a written notification ten working days before the hearing. The hearing could be sooner if it is agreed by both parties. The notification will include:

- › Details of the alleged misconduct and its possible consequences, including stating where dismissal is a possibility
- › Copies of any written evidence, including witness statements and any relevant documents or other evidence which will be used at the disciplinary hearing
- › The time, date and location of the disciplinary hearing (including the details if it is to be held over video conferencing, if relevant)
- › A statement that the employee has the right to be accompanied by a colleague, a trade union representative or a trade union official
- › Notification that the employer intends to call witnesses (if relevant)

If the employee intends to call witnesses, they should notify the Executive Headteacher in advance of the disciplinary hearing and it will be for the employee to arrange the attendance of their witnesses.

The employee should submit any additional evidence they intend to rely on in advance of the hearing.

#### **4.5 Right to be accompanied**

Employees have a statutory right to be accompanied at a disciplinary hearing or appeal hearing.

The statutory right is to be accompanied by a colleague, a trade union representative or a trade union official. Employees must make the request in advance, to the investigating officer to ensure the school knows who the companion will be.

If an employee's chosen companion will not be available to meet at the proposed time, the hearing will be postponed to an alternative time which is reasonable and not more than 5 working days after the original date.

A companion, if a colleague, is allowed reasonable time off from duties without loss of pay, but no one is obliged to act as a companion if they do not wish to do so.

We will make reasonable adjustments for disabled employees. This may include allowing an employee to bring a companion who is not a colleague, trade union representative or trade union official.

#### 4.6 Disciplinary hearing

The hearing will be chaired by the Executive Headteacher. A chair will be appointed from the disciplinary panel. The panel will consist of three trustees. The investigating officer and a member of the HR department will also be present.

At the hearing, the Executive Headteacher /chair of the disciplinary panel will explain the case against the employee and go through the evidence that has been gathered.

The employee will be allowed to set out their case and answer any allegations that have been made. The employee will also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. They will also be given an opportunity to raise points about any information provided by witnesses.

The employee's companion can address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the hearing and confer privately with the employee during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish them to, or prevent the employer from explaining their case.

The hearing may be adjourned if further investigation needs to be carried out, such as re-interviewing witnesses in light of any new points the employee raises at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

If the employee or their companion cannot attend the hearing, they should inform the Executive Headteacher or chair of the disciplinary panel immediately and an alternative time for the hearing will be arranged. The employee must make every effort to attend the hearing and failure to attend without good reason may be treated as misconduct in itself. If the employee fails to attend without good reason or is persistently unable to do so (for example, for health reasons), a decision may have to be taken based on the available evidence, including any written representations the employee has made.

See appendix 2 for disciplinary hearing details

#### 4.7 Taking appropriate action

The hearing will be adjourned and a decision about whether further disciplinary action is necessary will be taken. The employee will be informed of the decision in writing within five working days.

Actions taken may be:

- › **A verbal or informal warning** where it is decided that the action was not serious enough to warrant a formal written warning. This may be accompanied by a notification that arrangements will be put in place to improve the employee's behaviour, such as a training course or occupational health support
- › **A first written warning** for a first instance of misconduct. A first written warning will be placed on the employee's personnel file and remain active for six months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe may result in a final warning
- › **A final written warning** where the employee already has an active first warning, or where the employee's misconduct was sufficiently serious to warrant a final written warning. A final written warning will be placed on the employee's personnel file and remain active for nine months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe may result in dismissal or other disciplinary action
- › **Dismissal** where there has been gross misconduct, regardless of whether there are active warnings on the employee's personnel file, or where there has been further misconduct and there is an active final written warning on the employee's personnel file

› **Alternatives to dismissal** can be considered at the trust's discretion. Examples include:

- Demotion
- Transfer to another role
- Loss of seniority
- Period of suspension without pay
- Reduction in pay

We will refer a case of gross misconduct by a teacher, trainee teacher or someone holding a teacher reference number to the Teaching Regulation Agency (TRA) if we believe the TRA should consider whether the teacher should be prevented from teaching (see appendix 1 for instances of when this may apply). We will also refer cases to other relevant authorities, including but not limited to the Disclosure and Barring Service, where appropriate.

#### **4.8 Dismissal**

The power to decide that members of staff should no longer work at this school sits with the Executive Headteacher and the Trust board.

The power to dismiss staff in the trust has been delegated to Executive Headteacher and/or the Trustee board

Once the decision to dismiss has been taken, the Executive Headteacher and/or the Trustee board will dismiss the staff member with notice (or without notice, if the conduct is serious enough to warrant this).

#### **4.9 The effect of a warning**

Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.

A first written warning will usually remain active for six months and a final written warning will usually remain active nine months. The employee's conduct may be reviewed at the end of a warning's active period and, if it has not improved sufficiently, we may decide to extend the active period.

After the active period, the warning will remain permanently on the employee's personnel file but will be disregarded in deciding the outcome of future disciplinary proceedings once it has expired.

#### **4.10 Criminal allegations**

Where an employee's conduct is the subject of a criminal investigation, charge or conviction, we will investigate the facts when we are able to do so (there may be a delay in waiting for a police investigation to be conducted) before deciding whether a formal disciplinary hearing is required.

We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where the employee is unable or has been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.

A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to an employee's employment.

#### **4.11 Special cases**

If the employee involved in a disciplinary procedure is also the trade union representative, we will notify the union and discuss the matter with an official employed by the union before action is taken, after obtaining the employee's agreement. The procedure will continue as normal.

If the employee who is subject to disciplinary procedures raises a grievance about the disciplinary allegations or the procedure itself, the grievance procedure will run concurrently.

If the employee who is subject to disciplinary procedure raises a grievance about something unrelated to the disciplinary, consideration will be given to pausing the disciplinary while the grievance is addressed.

If the person appointed to deal with the investigation, disciplinary hearing or appeal is unable to undertake the role due to previous involvement or a conflict of interests then the school reserves the right to substitute that person for another.

## **5. Appeals process**

The employee has the right to appeal any disciplinary sanction. Appeals must be made in writing to the Executive Headteacher within ten working days of the decision, setting out at the same time the grounds for appeal.

An Appeals Committee should be formed to include three members of the Board of Trustees. Should three trustees not be available we would request independent volunteers from another trust.

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

If the employee raises any new matters in their appeal, we may need to carry out further investigation. If any new information comes to light, we will provide the employee with a summary including, where appropriate, copies of additional relevant documents and witness evidence. The employee will have a reasonable opportunity to consider this information before the hearing, and the employee, or their companion, may comment on any new evidence arising during the appeal before any decision is taken.

Appeals will be heard without unreasonable delay and at an agreed time and place (in person, or over video conferencing as necessary). The employee will be notified, in writing, of the date, time and place of the appeal hearing. Employees' statutory right to be accompanied by a companion will apply as with formal disciplinary hearings. Notes will be taken and a copy sent to the employee.

The appeal hearing will consider the fairness of the original decision in the light of the procedure that was followed, the evidence and any new information that may have come to light.

The appeal will be dealt with impartially and by a panel that has not previously been involved in the case.

The appeal hearing may be adjourned if required to carry out further investigations in light of any new points that the employee raises at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

Following the appeal hearing, we may:

- Confirm the original decision
- Revoke the original decision
- Substitute a different penalty

The employee will be informed in writing of the results of the appeal hearing as soon as possible. There will be no further right of appeal.

## **6. Record keeping**

Minutes will be kept of all interviews and meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting.

Records of all materials relating to the disciplinary process will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and data retention policy.

If disciplinary action is taken, a record of this will be added to the employee's personnel file.

We will disclose any proven, unexpired disciplinary offences by an employee if a reference is requested by a future employer.

### **6.1 Confidentiality**

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

The employee, and anyone who may accompany the employee (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure, whether these meetings or hearings are conducted in person, by telephone, or using remote working platforms or technologies.

The employee will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against them, unless we believe that a witness's identity should remain confidential.

### **7. Monitoring arrangements**

This policy will be reviewed every year, but can be revised as needed.

### **8. Links with other policies**

This policy links with our policies on:

- Capability of staff policy
- E-safety
- Equality
- Privacy notice for staff
- Data protection policy
- Staff code of conduct
- Staff grievance procedures

## **Appendix 1**

### **Instances and behaviours classed as misconduct**

The following lists are not exhaustive.

Instances of misconduct include:

- › Failure to comply with reasonable instructions from senior staff
- › Failure to follow the policies, practices and requirements of the school
- › Inappropriate use of the school's facilities
- › Unauthorised absence from work or persistent lateness
- › Unsatisfactory standards of work (not related to capability)
- › Using bad language in front of pupils

Instances of gross misconduct include:

- › Deliberately acting in a way that will cause damage to the school's reputation
- › Deliberately damaging the school's property
- › Discrimination, harassment, victimisation and/or bullying of pupils, colleagues or visitors
- › Inappropriate relationships with pupils or any other actions that would be classed as a serious safeguarding issue
- › Physical violence or assault
- › Serious breaches of confidentiality
- › Sexual offences or misconduct
- › Theft

[Teacher misconduct guidance](#) from the TRA explains that, among other things, the following offences may be serious enough to warrant prohibition of teaching:

- › Abuse of position or trust (particularly involving pupils) or violation of the rights of pupils
- › Actions or behaviours that undermine fundamental British values
- › Misconduct seriously affecting the education and/or wellbeing of pupils, and particularly where there is a continuing risk
- › Serious departure from the personal and professional conduct elements of the Teachers' Standards
- › Sustained or serious bullying, or other deliberate behaviour that undermines pupils, the profession, the school or colleagues

## Appendix 2

### Formal Disciplinary Procedure

- a. If the Executive Headteacher is satisfied that a hearing is warranted, they will inform the employee and a Disciplinary hearing will be arranged. The employee will be informed in writing of the following:
  - The date, time and place of the hearing with at least ten working days' notice from date of the letter
  - The names of the panel members (but this may be subject to change)
  - The specific nature of the allegations.



- The right to produce written statements and to bring witnesses.
- The right to representation.
- Names of any management witnesses with their witness statements.
- Any supporting documents to be used as evidence by management.
- Likely outcome if charges are proven i.e. warnings

The employee will be provided with copy of the trust's Disciplinary Procedure. If the employee wishes to call witnesses or provide relevant paperwork, this should be provided to the HR Manager, as appropriate, at least three working days prior to the Hearing.

The Executive Headteacher will chair the Disciplinary panel. The panel will be made up of three trustees. Where the Executive Headteacher has been directly involved in the procedures leading to disciplinary action, has instigated a proposal to dismiss or is a witness of particular conduct giving grounds for the disciplinary action in question (or the Executive Headteacher is being considered for disciplinary action) the initial decision can be delegated to one or more Trustees but where possible should be delegated to at least three Trustees.

## 1. AT THE HEARING

- An allegation which is considered by the Board of Trustees will be heard by a disciplinary panel. The Executive Headteacher (except where they are the subject of the disciplinary) may attend the meeting to give advice, if a potential outcome is determination to cease working at for the trust.
- If the employee fails to attend the hearing, the case will be heard in their absence and the panel should make a decision based on the evidence available, unless the Disciplinary Panel receives acceptable reasons and therefore agrees to postpone the hearing to a later date.
- Where an employee is represented in their absence, it is recommended that the representative is asked to obtain a note signed by the employee authorising him/her to speak and act on their behalf.
- When neither the employee nor their representative attends and the proceedings continue, it is recommended that the process be adjourned after the management case is completed. The employee should then be sent a copy of the notes of the hearing thus far and any new documentary evidence presented, and offered the opportunity to submit a statement in defence or mitigation. This statement can be given in person at the reconvened hearing or in writing if the employee remains unable or unwilling to attend.
- It is for the Disciplinary panel to decide whether late evidence from either side is acceptable. The committee should seek the views of both sides when considering whether to accept late evidence, and consider the reasonableness and fairness of the decision. If late evidence is accepted in the form of written documentation, it would be usual to allow reading time by way of a brief adjournment.
- The Panel must ensure that the employee receives a fair and impartial hearing, is encouraged to be represented or accompanied, is allowed to present their case or have it presented and is allowed to bring witnesses and to question the management presenter and any management witnesses.

### The disciplinary hearing will comprise two distinct parts

**Part 1:** The panel hears evidence and decides whether the charge is proven

**Part 2:** The panel considers mitigation and decides on the appropriate sanction if the charge is proven

#### Part 1

The Chair will open the proceedings by:

- stating the purpose of the hearing
- introducing all present;
- saying how the hearing will be conducted and any time constraints which may apply;
- confirming that all have the same documentation;
- confirming the number and names of witnesses attending on both sides;
- asking for any points of clarification to be stated;

- reading the disciplinary allegations and asking whether the employee accepts the facts. If the allegation(s) is/are accepted then the Panel should proceed immediately to hear mitigation.

The Panel will then proceed to hear the disciplinary.

The normal order of proceedings would be

- Management representative to present their case
- Witnesses are called one at a time
- The witnesses are questioned by the management representative, the panel and finally the employee or their representative.
- The Employee presents their case in the same manner and order as the management presentation.
- The Panel shall ask each side to briefly summarise their respective cases at the conclusion of the cases, commencing with the management presenter. No new evidence should be submitted at this point.
- The Panel may adjourn the hearing in order to seek further information which includes requesting the re-attendance of the original witnesses and the attendance of additional witnesses.

Once the panel is satisfied that all the relevant evidence has been heard then the panel must reach a decision at the end of part 1 of the hearing and convey the decision to the employee and representative. All parties other than the assigned officer advising the Panel shall withdraw when the Panel considers its decision.

## Part 2

Before deciding what disciplinary sanction to impose, the Panel must allow the employee or his/her representative to make a statement of mitigation. This may include the employee's disciplinary record, the employee's age, position, length of service and general performance as well as other factors such as domestic circumstances. The management presenter will also be allowed to comment on the mitigation offered by or on behalf of the employee.

Codes of conduct and action taken in similar cases in the past may be considered and representations as to whether the proposed action is reasonable in the circumstances.

## 2. THE DISCIPLINARY ACTION

All parties other than the assigned officer advising the Panel shall withdraw when the Panel considers its decision.

After the Panel has considered all mitigating circumstances, the Panel shall propose any appropriate disciplinary action. The decision will usually be given orally to the employee in the presence of their representative. However, this may be varied by mutual agreement. The decision will also be confirmed in writing within five working days.

The possible actions arising from a disciplinary hearing are:

- no further action;
- guidance and/or training – appropriate for more minor breaches of conduct. The panel must set timescales and review periods;
- stage 1 written warning – appropriate for first instances of misconduct, for which guidance has already been given. Stage 1 warnings will remain live for six months;
- stage 2 written warning – appropriate for more serious cases of misconduct. Stage 2 warnings will remain live for nine months;
- final written warning – appropriate where the misconduct is considered to be insufficiently serious to justify dismissal but sufficiently serious to warrant only one warning, or where the misconduct is considered to be serious enough to justify dismissal but where a lesser sanction is appropriate in the particular circumstances (e.g. where there are exceptional mitigating circumstances). A final written warning may be the first and last warning, even if there is no previous record of disciplinary action against the employee and it must draw the employee's attention to the fact that their job is at risk if s/he does not improve. Final written warnings will remain live for nine months; and
- Decision to cease working at the trust by

- Summary dismissal – appropriate in cases of gross misconduct where the breach is considered to be sufficiently serious to warrant dismissal for a first offence, this is dismissal without notice.
- Dismissal with notice in other cases where there have been earlier warnings to which the employee has not made an adequate or appropriate response.

In addition, where appropriate, there are a number of supplementary sanctions that a panel may consider to accompany a written warning, a final written warning or dismissal, including demotion, transfer, and recovery of monies. Generally, the sanctions of demotion or transfer will be applied as an alternative to dismissal where the circumstances warrant this and where an alternative post has been identified and is available. However, transfers and demotion should only be considered with the agreement of the employee

The written notification from the Panel of their decision will include the following: -

- a. The precise nature of the misconduct proven.
- b. The period of time given for improvement, if appropriate and the standard of improvement expected.
- c. The disciplinary sanction being applied and, where appropriate, how long any sanctions will last.
- d. The basis of the panel's decision
- e. An indication of the likely consequences of further proven misconduct.
- f. Information about the employee's right of appeal, including how it should be made, by when and to whom.

### **Appendix 3**

#### **Suspension**

Suspension will normally be on full pay. In very limited specific circumstances, however, this might not be appropriate, e.g. where the actions of an employee are delaying the carrying out of an investigation or the holding of a disciplinary hearing. Because the withholding or reduction of pay is a conduct or capability related action that is seen as additional to the suspension itself, the decision to suspend on nil pay can only be made by the Executive Headteacher following advice from their HR provider.

Suspension should not be automatic and only used in exceptional cases after careful thought has been given to the circumstances of the case, where there is no reasonable alternative.

Suspension should be considered after reference to the trusts HR provider (and LADO in cases of allegations of abuse) and where there is cause to suspect that (please note that this list is not exhaustive.)

- Possible risk of harm to a child or other children
- the allegation warrants investigation by the police (please note that suspension is not mandatory in this case and decisions to suspend should be taken on a case-by-case basis)
- is so serious that it might be grounds for dismissal
- or where the Secretary of State has made an interim prohibition order
- the employee's continued presence on site makes a fair investigation impossible, represents a serious risk to the safety of others or themselves or seriously undermines the reputation of the trust.

The Executive Headteacher or Chair of Trustees should also consider whether the result that would be achieved by suspension could be obtained by alternative arrangements to:

- duties
- working arrangements (e.g. providing for the individual to be accompanied at all times or moving the child(ren) to classes where they will not come into contact with the member of staff making it clear that this is not a punishment and after consulting with parents)
- working location (e.g. redeployment to alternative work so the individual does not have unsupervised access to children or so that the individual does not have direct contact with the child or children concerned or to another role in a different location or allowing to work from home)
- and or an initial 'cooling off' period for a period not exceeding three days (the cooling off period may be extended to allow an individual to be represented at a suspension meeting however this will not be unreasonable)

When considering the suspension of an employee, the Executive Headteacher or Chair of Trustees will arrange a meeting with the employee, unless this is very impractical this meeting should be timed to take account of the school day. The employee may bring a Trade union representative or work colleague to this meeting. The employee will be informed of the nature of the allegations. The employee may make representation in respect of the proposed suspension. The Executive Headteacher or Chair of Trustees will then verbally confirm the decision at the meeting and in writing within one working day. If the decision is to suspend the employee, then the letter will outline the reasons for the suspension and the nature of the allegations giving as much detail as appropriate for the reasons for the suspension.

Suspension during the course of an investigation is not a sanction in itself and does not imply guilt.

Regular contact with the employee must be maintained to ensure that they are kept informed of the progress of their case. Any reasons for delays should be recorded and notified to the employee and/or their representative.

Only the Board of Trustees can lift the suspension.

The powers given to the Board of Trustees in these paragraphs is without prejudice to the Education (School Government) Regulations 1999, which provides that the Chair or Vice-Chair of the Board of Trustees may exercise the functions of the Board in cases of urgency.

The letter should state that the investigatory and disciplinary process should be completed normally within 30 working days.

Where there is no case to answer or actions short of dismissal will be addressed at a hearing, the lifting of suspension is likely to be appropriate. This can only be authorised by the Chair of Trustees and should be confirmed in writing to the individual along with the arrangements and support for the return to work. Advice from the trusts HR provider should be sought before this action is taken.