

**Disciplinary & Grievance Procedures**

**September 2020**

**Purpose**

Park House School’s (PHS) aim is to encourage improvement in individual conduct and performance. This procedure sets out the action which will be taken against employees when PHS rules and expectations are breached.

**Principles**

The procedures below are designed to establish any facts quickly and to deal consistently with disciplinary issues.

No disciplinary action will be taken until the matter has been fully investigated.

At every stage employees will be advised of the nature of the complaint lodged against them, be given the opportunity to state their case, and if they so wish the opportunity, to be accompanied/represented by a fellow employee of their choice or a trade union representative.

Employees will not be dismissed for a first breach of discipline except in the case of gross misconduct, when the penalty will normally be dismissal without notice and without pay in lieu of notice.

Employees have a right of appeal against any disciplinary action taken against them using the school’s outlined appeals process.

The procedure may be implemented at any stage if an employee’s alleged misconduct warrants such action.

**Procedure**

1. **Informal discussions**

Before taking formal disciplinary action, an employees line manager, or a member of the Senior Leadership Team(SLT), will make every effort to resolve the matter by informal discussions with them. Only where this fails to bring about the desired improvement will the formal disciplinary procedure be implemented. Employees will be informed when discussions about issues causing concern are to be considered as part of these disciplinary procedures. This should clearly differentiate for employees routine admonishments and action taken as part of these procedures.

1. **First warning**

If an employee’s conduct or performance is deemed unsatisfactory, they will be given a written warning or performance notes. Such warnings will be recorded, but disregarded after **1 term** of satisfactory service. Employees will also be advised that a final written warning may be considered if there is no sustained satisfactory improvement or change within the following 6 weeks.

Where a first offence warning is deemed to be insufficient, for example where the disciplinary issue is having, or is likely to have, a serious harmful effect on the running of the school, a final written warning will be issued.

1. **Final written warning**

If the offence is serious, or there is no improvement in standards within the timescale outlined for employee, or a further offence of a similar kind occurs, a final written warning will be given. This will include the reason for the warning and a note that if no improvement results within 6 weeks of the date of the final warning, action as set out below will be taken.

1. **Dismissal or action short of dismissal**

If the conduct or performance has failed to improve the employee may suffer demotion or dismissal. If dismissal occurs then payment in lieu of notice or the normal period of notice will apply.

1. **Gross misconduct**

If, after investigation, it is confirmed that an employee has committed, or assisted another to commit an offence, possibly of the following nature, the normal consequence will be dismissal without notice or payment in lieu of notice:

* any deliberate action that could cause harm of any kind to a pupil or employee
* undisclosed offences that would render the employee unsuitable for employment at the school
* incapacity for work due to being under the influence of alcohol or illegal drugs
* physical violence
* bullying - physical, verbal or emotional
* discrimination on the grounds of race, gender, sexual orientation, disability, age, faith or any other matter covered under discrimination law
* engagement in any activity out of school that could bring the school into disrepute
* membership of any illegal organisation
* gross insubordination
* theft
* fraud
* wilful damage to property

**N.B. the above list is not exhaustive**

While the alleged gross misconduct is being investigated, an employee may be suspended, during which time they will be paid their normal pay rate. Suspension is not a pre-judgement of guilt in any such investigation.

Any decision to dismiss will be taken only after a full investigation of any gross misconduct.

1. **Appeals**

If an employee wishes to appeal against any disciplinary decision, they must appeal in writing within five working days of the decision being communicated to them to the Proprietors of PHS. If possible, a member of the SLT and, where appropriate, a member of the school’s Development Group or one of its Directors who was not involved in the original disciplinary action, will hear the appeal and decide the case as impartial as possible.