Disciplinary Procedure

Model Letters

## For Employees in Voluntary Aided Schools

## Version Autumn 2022

## Model Suspension Letter:

Strictly Private & Confidential

### EMPLOYEE NAME

### ADDRESS

### Date

### Dear

### Re: Notification Of Suspension

I write to inform you that you have been suspended from your work at the school with effect from [INSERT DATE]. This suspension will continue until further notice to enable an investigation to take place into the following allegations made against you / the incident(s) in which you were involved on the[INSERT DATE] in which you [OUTLINE DETAILS HERE]. These are a breach of the school’s [ENTER POLICY DETAILS HERE]

I shall keep you informed of the progress of the investigations and notify you once they are completed and invite you to a meeting where you will be informed of the next steps. You may be accompanied by a companion at that meeting who may be either a colleague or a trade union representative.

Your suspension is a neutral act and does not imply that any decisions have been taken regarding the allegations made against you. However we advise you to arrange for a member of your trade union to support you during the suspension period. You will receive your full salary and benefits throughout your suspension.

During your suspension, you are not permitted under any circumstances to;

* visit the school without the prior permission of the headteacher or chair of the governing body.
* Contact any pupils, parents, staff or contractors without the prior permission of the headteacher or chair of the governing body.

As part of your suspension you must relinquish to school leaders all school keys and any assets belonging to the school. If any of your personal possessions still remain on the site, you should make a convenient appointment to come into school to collect them.

I understand this may be an unsettling time and therefore if you would like clarification on any of the details in this letter or anything else around this subject, please do contact me.as soon as possible to discuss.

As this matter is currently under investigation, please keep it confidential and do not discuss it with your colleagues

I would also like to let you know that www.educationsupport.org.uk provide advice and emotional support to all education staff and have a free, confidential helpline available on 08000 562 561.

Yours sincerely

Executive/Headteacher/Head of School

## Investigation Meeting Model Letter:

Strictly Private & Confidential

### EMPLOYEE NAME

### ADDRESS

### Date

### Dear

### Re: Disciplinary Investigation Meeting

I am writing to inform you that I have been assigned by the Executive/ Headteacher/ Head of School to conduct an investigation under the Schools Disciplinary Procedure (enclosed) into allegation/s made in relation to your conduct. .

The allegation(s) is/are as follows:

[School Policies breached}

I propose that we meet at [TIME] on [DATE} at [SCHOOL OR OTHER SUITABLE VENUE]. You may be accompanied by a work colleague or trade union representative. I shall be accompanied by [NAME/ROLE} – HR Adviser and/ or Notetaker – dependent on the complexity of the case.

Please be assured that at this stage I am seeking information only and this meeting has been arranged for fact-finding purposes. It would be helpful if you could bring with you any information that might be useful to the investigation.

Once I have completed the investigation, you will be informed of the outcome in writing.

If it is found that there is a case to answer, you will be invited to attend a formal disciplinary hearing.

I understand this may be an unsettling time and therefore if you would like clarification on any of the details in this letter or anything else around this subject, please do contact me.as soon as possible to discuss.

As this matter is currently under investigation, please keep it confidential and do not discuss it with your colleagues.

I would also like to let you know that www.educationsupport.org.uk provide advice and emotional support to all education staff and have a free, confidential helpline available on 08000 562 561.

Yours sincerely

Appropriate SLT Member / Investigation Officer

## Notice of Formal Disciplinary Hearing

Strictly Private & Confidential

### EMPLOYEE NAME

### ADDRESS

### Date

### Dear

### Re: Formal Disciplinary Hearing

I am writing to advise you that as a result of the recent disciplinary investigation you have been invited to attend a formal disciplinary hearing on at at . The hearing will be chaired by , will also be present and will take minutes. A Human Resources representative will be present to support proceedings.

This meeting has been arranged to discuss allegations of misconduct/gross misconduct [DELETE AS APPROPRIATE] as detailed in the investigation report, which has been enclosed. This report provides details of your conduct that has been deemed to be unsatisfactory in light of the Schools Disciplinary Procedure.

The allegation(s) is/are as follows:

You have the right to be accompanied by a trade union representative or a colleague that has not formed part of the investigation. Your companion will be able to put your case forward, sum up your case and respond on your behalf to views expressed in the hearing. Your companion will not be able to answer questions on your behalf

If your representative is unable to attend the hearing at the time given above, you may propose another date and time for the meeting to take place. Any alternative date must be on or before (date of the fifth working day after the (PROPOSED MEETING DATE). Only one postponement will be permitted. Please note that failure to attend without notice or prior reason may constitute a disciplinary offence, and the hearing may take place in your or your representative’s absence.

You also have the right to produce written statements and to invite witnesses to give evidence in support of your case. You should ensure that copies of any written statements upon which you wish to rely at the hearing are given to me at least 3 working days before the hearing, together with the names of any witnesses that will be attending on your behalf, and the name of your representative.

I (THE HEADTEACHER/LINE MANAGER IF IT IS A GOVERNORS HEARING) will be calling the following witnesses to the hearing (NAMES HERE). I shall be accompanied by [NAME/DETAILS/ROLE HERE]. The records of the meeting shall be taken by [NAME/DETAILS/ROLE HERE].

I enclose an indexed bundle of statements and other documents on which I (THE HEADTEACHER/LINE MANAGER IF A GOVERNORS HEARING) will be relying at the hearing, along with a copy of the school’s disciplinary procedure.

If, after considering the evidence, where the allegation (s) of misconduct is/are found to be proven, this may result in you being issued with a written warning, final written warning, or in serious cases of gross misconduct or where a final written warning is already in place, dismissal.

Once a decision has been made regarding the allegations of misconduct, you will be informed of the outcome in writing.

If there is any aspect of this letter, or of the disciplinary procedure, to the extent that it applies to you that you do not understand, please contact me.

Yours sincerely

Executive/Headteacher/Head of School/SLT Member

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## Formal Disciplinary Outcome Letter - Sanctions Lesser Than Dismissal

Strictly Private & Confidential

### EMPLOYEE NAME

### ADDRESS

### Date

### Dear .........................

### Re: Outcome of the Disciplinary Hearing on [DATE HERE]

I am writing to confirm the outcome of the formal disciplinary meeting held on in relation to your conduct in the workplace. At the meeting you were accompanied by , the meeting was chaired by . were also present. The minutes were taken by and a representative from Human Resources was present to support proceedings.

This meeting considered the following points:

Reason for meeting

Management view

Employee response

Panel Findings

Detail main findings

After careful consideration of the evidence presented I / The Governors Disciplinary Panel [DELETE AS APPROPRIATE] have determined that the allegations made against you, namely that [DETAILS OF ALLEGATIONS HERE] have/have not been substantiated.

OUTCOME OPTIONS:

No action to be taken

No disciplinary sanctions will be issued on this occasion.

Your conduct will continue to be monitored on an ongoing basis in line with management practice. Should another allegation of misconduct be made against you, I must inform you that this could lead to formal disciplinary action if allegations on that occasion are substantiated.

Or

Formal written warning

You are hereby issued with a formal written warning and required to improve your conduct in the workplace to ensure there is no further misconduct on your part. In particular it was discussed that you should:

This warning will remain in effect for a period of 12 months and a copy held on your personal file for this period. A failure to improve your conduct, a repeat of the misconduct or any other instance of misconduct could result in further disciplinary action being instigated.

Or

Final written warning

You are hereby issued with a final written warning. Should you fail to improve your conduct in the workplace or ensure there is no further misconduct on your part, this may result in dismissal.

In the meeting it was agreed that you should take particular steps to improve the following:

This warning will remain in effect for a period of 24 months and a copy held on your personal file for this period.

You have the right to appeal against this decision. If you wish to appeal, you must submit the grounds of your appeal to the Clerk to Governors by the [ENTER DATE HERE – 10 school days from the date of the letter] by either email to [ENTER ADDRESS HERE] or by post to [ENTER DETAILS HERE]. Any appeal will be heard by the the Governing Body’s Appeal Committee.

If there is any aspect of this letter, or of the disciplinary procedure, to the extent that it applies to you that you do not understand, please contact me.

Yours sincerely

Executive/Headteacher/Head of School/ Chair of the Disciplinary Panel

## New: Formal Notice Of Dismissal Letter

[PLEASE NOTE \*\*\* Schools are advised to ensure they have received LDBS HR and Legal advice before confirming a dismissal]

Strictly Private & Confidential

### EMPLOYEE NAME

### ADDRESS

### Date

### Dear

### Re: Outcome of the Disciplinary Hearing on [DATE HERE]

I am writing to confirm the outcome of the formal disciplinary hearing in relation to your conduct in the workplace. At the hearing you were accompanied by , the meeting was chaired by . were also present. The minutes were taken by and a representative from Human Resources was present to support proceedings.

This meeting considered the following points:

Reason for meeting

Management view

Employee response

Panel Findings

Detail main findings

After careful consideration of the evidence presented I / The Governors Disciplinary Panel [DELETE AS APPROPRIATE] have determined that the serious allegations made against you, namely that [DETAILS OF ALLEGATIONS HERE] have been substantiated.

SPECIFY DISMISSAL OPTIONS

Either:

Dismissal with notice following prior misconduct

Having reviewed all the evidence presented, the panel concluded to issue a dismissal with notice effective from the date of notification of this decision.

You are being dismissed on the grounds of your misconduct . Following the final written warning issued on , you were informed that any further instances of misconduct could result in further disciplinary action being instigated. This has resulted in a situation sufficiently serious enough to allow us to dismiss you.

You will be entitled to pay in lieu of your notice period.

Or

Dismissal without notice after gross misconduct

Having reviewed all the points presented, the panel concluded to issue a dismissal without notice effective from the date of notification of this decision.

You are being dismissed on the grounds of your gross misconduct . This has been deemed sufficiently serious enough to allow us to dismiss you without notice or pay in lieu of notice.

You have the right to appeal against this decision. If you wish to appeal you must submit the grounds of your appeal to the Clerk to Governors by the [ENTER DATE HERE – 10 school days from the date of the letter] by either email to [ENTER ADDRESS HERE] or by post to [ENTER DETAILS HERE]. Any appeal will be heard by the Governing Body’s Appeal Committee.

Yours sincerely

Executive/Headteacher/Head of School/ Chair of the Disciplinary Panel

[DELETE AS APPROPRIATE]

## Formal Disciplinary Appeal Hearing

Strictly Private & Confidential

### NAME

### ADDRESS

### Date

### Dear

### Re: Disciplinary Appeal Hearing

I am writing in response to your communication dated [ENTER DATE HERE] stating that you wish to appeal the decision of the disciplinary hearing that took place on the [ENTER DATE HERE] and the grounds for that appeal. I can now advise you that the hearing will take place on [DATE – AT LEAST 10 DAYS FROM THE DATE OF THE LETTER] at [PLACE] at [TIME]. It will be conducted by the Appeal panel of the governing body

The hearing will be chaired by , will also be present and will take minutes. A Human Resources representative will be present to support proceedings.

. You have the right to be accompanied by a trade union representative or a colleague that has not formed part of the investigation. If your representative is unable to attend the hearing at the time given above, you may propose another date and time for the meeting to take place. Any alternative date must be on or before (date of the fifth working day after the (PROPOSED MEETING DATE). Only one postponement will be permitted.

You also have the right to produce written statements and to invite witnesses to give evidence in support of your appeal. You should ensure that copies of any written statements upon which you wish to rely at the hearing are given to me at least 3 days before the hearing, together with the names of any witnesses that will be attending on your behalf, and the name of your representative.

The Executive/Headteacher/Chair of the Disciplinary Panel will be in attendance at the meeting, supported by [NAME/DETAILS/ROLE HERE]. The records of the meeting shall be taken by myself.

An indexed bundle of statements and other documents for the hearing, along with a copy of the school’s disciplinary procedure will be distributed before the hearing to give all parties time to review the appeal documentation.

If there is any aspect of this letter, or of the disciplinary procedure, to the extent that it applies to you that you do not understand, please contact me.

Yours sincerely

Clerk to the Governing Body

## Formal Disciplinary Appeal Outcome Letter

[PLEASE NOTE \*\*\* Schools are advised to ensure they have received LDBS HR and Legal advice before confirming a dismissal]

Strictly Private & Confidential

### NAME

### ADDRESS

### Date

### Dear

### Re: Outcome of the Disciplinary Appeal Hearing on [DATE HERE]

Following the formal disciplinary appeal hearing held on [DATE HERE] I write to formally inform you of the outcome of the hearing. At the hearing you were accompanied by , the meeting was chaired by . were also present. The minutes were taken by and a representative from Human Resources was present to support proceedings

The grounds of your appeal were that [DETAIL GROUNDS OF APPEAL HERE].

After careful consideration of the evidence presented and your account of the circumstances surrounding the case, the Appeal Panel have determined that

ENTER FINDINGS HERE]

OUTCOME OPTIONS

Uphold the appeal and remove the sanction imposed

Reject the appeal but impose a lesser sanction

Reject the appeal and confirm the sanction

Recommend a re-hearing.

[Confirm the sanction or dismissal here - written warning/final written warning/dismissal with notice/dismissal without notice].

The decision of the Appeal Committee is final.

Yours sincerely

Executive/Headteacher/Head of School/ Chair of the Disciplinary/ Appeal Panel/[DELETE AS APPROPRIATE].

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