**Disciplinary Procedure**

**MODEL LETTERS**

For Employees in Voluntary Aided Schools

Version Autumn 2019

1. **Model Suspension Letter**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

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 ............................. 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 ....................... 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.

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 professional association 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 telephone the headteacher in order to make a convenient appointment to come into school to collect them.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy. Failure to return the copy does not invalidate any possible subsequent disciplinary procedures.

Yours sincerely

*(typed name)*

Executive/Headteacher/Head of School

1. **Investigation Meeting Model Letter**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

Date

Dear .........................

**Re: Disciplinary Investigation Meeting**

I am writing to inform you that I am conducting an investigation under the Schools Disciplinary Procedure (enclosed) into the allegations made / incident that took place on [DATE HERE} in which you;

* [LIST DETAILS HERE]
* and that in carrying out the above actions you breached the following school policies; [ENTER POLICIES HERE].

I propose that we meet at [TIME] on [DATE} at [SCHOOL NAME] CE Primary School. You may be accompanied by a companion, who may be either a colleague or trade union representative. I shall be accompanied by [ENTER DETAILS HERE]. [NAME], [ROLE, will be present to take the notes of our meeting.

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.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy. Failure to return the copy does not invalidate any possible subsequent disciplinary procedures.

I look forward to seeing you on the [DATE] at [TIME}.

Yours sincerely

*(typed name)*

Executive/Headteacher/Head of School

1. **FORMAL DISCIPLINARY HEARING**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

Date

Dear .........................

**Re: Formal Disciplinary Hearing**

I am writing to advise you that as a result of the investigation into allegations that / incident that took place on [DETAILS/DATE HERE} in which you (SET OUT SUMMARY DETAILS OF THE ALLEGED MISCONDUCT), you are required to attend a formal Stage [2,3,4] disciplinary hearing, the outcome of which may be a sanction up to and including [ENTER DETAILS ACCORDING TO STAGE OF HEARING].

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 me [IF EXECUTIVE/HEADTEACHER] /a disciplinary committee of the governing body [DELTE AS APPROPRIATE]. The members of the Disciplinary Panel are [NAMES OF GOVERNORS HERE], and they shall be supported by [NAME/DETAILS/ROLE HERE].

You have the right to be accompanied by a companion, who may be another employee, or a representative of your trade union. 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 with both yourself and your representative being 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 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.

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 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.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy. Failure to return the copy does not invalidate any possible subsequent disciplinary procedures.

Yours sincerely

*(typed name)*

Executive/Headteacher/Head of School

1. **FORMAL DISCIPLINARY OUTCOME LETTER**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

Date

Dear .........................

**Re: Outcome of the Stage [2,3,4] Disciplinary Hearing on [DATE HERE]**

Following the formal disciplinary hearing held on [DATE HERE] I am now writing to you to formally inform you of the outcome of the hearing. I / The Governors Disciplinary Panel [DELETE AS APPROPRIATE] have determined that the allegations made against you, namely that [DETAILS OF ALLEGATIONS HERE] have/not been substantiated.

[ENTER COMMITTEE FINDINGS HERE]

As a consequence of the Committee’s findings they have reached the decision that the above constitute gross/misconduct [DELTE AS APPROPRIATE], and the Committee decided that you [EITHER should receive a first written warning/final written warning [DELETE AS APPROPRIATE] / OR be dismissed and your employment terminated with effect from [ENTER DATE HERE]/with immediate effect with your notice paid to you in full.

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.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy. Failure to return the copy does not invalidate any possible subsequent disciplinary procedures.

Yours sincerely

*(typed name)*

Executive/Headteacher/Head of School/ Chair of the Disciplinary Panel / Clerk to the Governing Body

 [DELTE AS APPROPRIATE]

1. **FORMAL DISCIPLINARY APPEAL HEARING**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

Date

Dear .........................

**Re: Formal Disciplinary 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 me [IF EXECUTIVE/HEADTEACHER] /the appeal panel of the governing body [DELTE AS APPROPRIATE]. The members of the appeal panel are [NAMES OF GOVERNORS HERE], and they shall be supported by [NAME/DETAILS/ROLE HERE].

You have the right to be accompanied by a companion, who may be another employee, or a representative of your trade union. 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 5 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 5 days 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.

As acknowledgement of receipt of this letter, please sign and return to me the enclosed copy. Failure to return the copy does not invalidate any possible subsequent disciplinary procedures.

Yours sincerely

*(typed name)*

Clerk to the Governing Body

1. **FORMAL DISCIPLINARY APPEAL OUTCOME LETTER**

**STRICTLY PRIVATE & CONFIDENTIAL**

NAME

ADDRESS

ADDRESS

ADDRESS

POST CODE

Date

Dear .........................

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

Following the formal disciplinary appeal hearing held on [DATE HERE] I am now writing to you to formally inform you of the outcome of the hearing. The grounds of your appeal were that [DETAIL GROUNDS OF APPEAL HERE].

On the evidence presented to me / The Governors Disciplinary Panel [DELETE AS APPROPRIATE] it was found that [ENTER COMMITTEE FINDINGS HERE].

As a consequence of the Committee’s findings it was decided that [ALL THE FOLLOWING NEED TO BE ELABORATED ON]

* Accept the appeal and remove the penalty imposed
* Accept the appeal and impose a lesser penalty
* Reject the appeal and confirm the penalty imposed
* Recommend a re-hearing.

The decision of the Appeal Committee is final.

Yours sincerely

*(typed name)*

Executive/Headteacher/Head of School/ Chair of the Disciplinary Panel/ Clerk to the Governing Body [DELTE AS APPROPRIATE]

5.