

Stanborough Primary School & Nursery

Staff Disciplinary Procedures



Approved by:	Stanborough Primary School Governing Body	Date:
Last reviewed on:	April 2026	
Next review due by:	April 2028	

STAFF DISCIPLINARY PROCEDURES

1. Purpose and Principles

This policy establishes a fair, transparent, and consistent framework for managing disciplinary matters within the school. It is designed to ensure that all concerns relating to conduct are handled appropriately, proportionately and in a manner that upholds both organisational standards and individual rights.

The school is committed to ensuring that all disciplinary action is conducted in accordance with the ACAS Code of Practice, complies with the Employment Rights Act 1996 and reflects the principles of Natural Justice. This includes ensuring that individuals are treated fairly, that decisions are based on evidence and that appropriate procedures are followed at all times.

In addition to legal compliance, this policy supports a culture of professional integrity, accountability, and responsible conduct. It makes clear that disciplinary processes are to be used appropriately and not misused for personal, speculative or unfounded concerns.

Failure to follow this policy may result in procedural unfairness and may be taken into account in any subsequent employment tribunal proceedings. In addition, where there is a deliberate or unreasonable failure to adhere to this policy, this may be treated as a conduct matter and addressed in accordance with the disciplinary procedure.

2. Scope

This policy applies to all employees of the school. Where appropriate, its principles will also apply to governors, volunteers, contractors and other individuals working on behalf of the school, as set out in Section 10.

The policy applies to matters of misconduct and gross misconduct. It does not apply to issues relating to capability, sickness absence, or redundancy, which are addressed under separate procedures.

3. General Principles

All disciplinary matters will be handled promptly, but without unnecessary haste, ensuring that sufficient time is taken to establish the facts and allow individuals a fair opportunity to respond.

At every stage of the process, individuals will be informed of the nature of the concerns raised against them and will be given a meaningful opportunity to respond before any decision is made. Decisions will be based on a reasonable belief formed following a reasonable and proportionate investigation.

The school will not make decisions based on undisclosed evidence, unsubstantiated allegations, or information that cannot be properly tested. Allegations based solely on gossip, rumour, or unsupported hearsay will not be relied upon.

The disciplinary process must be used responsibly and in good faith. The school will not accept misuse of this process, including the raising of allegations without reasonable grounds, the use of the process to pursue personal disputes, or the repeated raising of unfounded concerns after appropriate guidance has been given. Such behaviour may itself be treated as a conduct matter.

At all stages of the process, appropriately qualified Human Resources advice must be sought and followed. HR will provide guidance to ensure compliance with legal requirements, support fair and consistent decision making and assist those involved in managing the process. Where internal HR support is not sufficiently independent, external HR advice will be obtained.

4. Informal Resolution

Where concerns are minor, isolated, and do not involve serious misconduct or safeguarding issues, they will normally be addressed informally in the first instance. Informal resolution is intended to address issues at an early stage, provide clarity on expectations and support improvement without the need for formal disciplinary action.

Informal action may take a number of forms, including a managerial discussion to clarify concerns and expectations, the provision of guidance or advice, coaching or mentoring support, mediation where appropriate, or the identification of training or development needs. In some cases, an informal warning or improvement discussion may be appropriate where it is necessary to clearly communicate that behaviour must change.

Informal discussions will be conducted by the employee's line manager, with HR advice and presence. The concerns will be clearly explained, and the employee will be given the opportunity to respond. Any expectations and agreed actions will be clearly communicated.

A brief record of the discussion will be retained for management purposes, but this will not form part of the employee's formal disciplinary record. Records will be handled in accordance with data protection requirements.

Where informal action does not lead to improvement, or where concerns become more serious, the matter may be escalated to the formal disciplinary procedure.

5. Formal Disciplinary Procedure

The formal disciplinary procedure will be initiated where informal resolution is not appropriate, where the matter is sufficiently serious, or where there has been a failure to improve following informal intervention.

No disciplinary action will be taken without a reasonable and proportionate investigation having been carried out.

An investigating officer will be appointed to carry out the investigation and will remain separate from any subsequent decision-making panel. The investigation will be conducted with the support and guidance of HR and will involve gathering documentary evidence, interviewing witnesses and meeting with the employee to

obtain their account of events. Investigations will usually be completed within twenty working days, with updates provided where necessary.

Where it is necessary, an employee may be suspended while the investigation is carried out. Suspension is a neutral act, does not imply guilt, and will be confirmed in writing within two working days. It will be reviewed regularly, normally every ten working days.

If, following the investigation, it is determined that there is a case to answer, the employee will be invited to attend a disciplinary hearing. They will be provided with full details of the allegations, copies of the evidence and at least five working days' notice of the hearing.

The disciplinary hearing will be conducted by an impartial panel who have had no prior involvement in the matter. An HR adviser will be present to provide procedural and legal guidance.

During the disciplinary hearing, the case against the employee will be presented by the Investigating Officer who will outline the findings of the investigation and present the evidence relied upon.

The Investigating Officer's role is limited to presenting the management case and they will not take part in the decision-making process.

Where appropriate, particularly in more complex cases, an alternative management representative may be appointed to present the case, provided they have not been involved in the investigation or decision making process.

The employee will have the right to be accompanied and will be given the opportunity to respond fully, present evidence, call witnesses, and challenge the evidence presented.

Following the hearing, the panel will consider all of the evidence, any mitigating circumstances, and the need for consistency with previous cases.

Decisions will be made on the balance of probabilities and with the benefit of HR advice.

The outcome will be confirmed in writing within five working days. Outcomes may include no action, a written warning, a final written warning, or dismissal, depending on the seriousness of the matter.

Dismissal will only occur where there has been gross misconduct, or where there has been repeated misconduct following prior warnings. Dismissal may also be considered in cases of serious misconduct where the nature and severity of the matter justifies formal action without prior informal intervention or earlier warnings, provided that a fair and reasonable process has been followed and the decision is proportionate in all the circumstances.

Employees have the right to appeal against any disciplinary decision. Appeals must be submitted within ten working days and will be heard by an independent panel. The outcome of the appeal will be final.

HR will oversee all disciplinary processes to ensure consistency, fairness and compliance.

6. Special Cases

Where a safeguarding concern arises, the school's safeguarding processes, in accordance with Keeping Children Safe in Education (KCSiE) and relevant statutory guidance, will take priority in determining the immediate actions required to protect children and manage risk.

In such circumstances, the internal disciplinary procedure may run in parallel but will be informed by and aligned with the safeguarding process. The disciplinary process will not interfere with, delay, or compromise any safeguarding investigation and may be paused or adapted where necessary to ensure compliance with safeguarding requirements.

The school will ensure that both processes are managed in a coordinated and legally compliant manner, having regard to statutory safeguarding requirements and employment law obligations. This will be achieved by ensuring that appropriate referrals are made to external agencies, including the Local Authority Designated Officer (LADO), where required; that the timing and conduct of the disciplinary process does not compromise any safeguarding investigation; that decisions regarding suspension, investigation scope, and information sharing are made in consultation with safeguarding leads and Human Resources; and that confidentiality is maintained while still enabling the employee to respond to allegations in line with the principles of Natural Justice

7. Record Keeping

Accurate and secure records will be maintained in accordance with data protection law.

8. Review

This policy will be reviewed regularly.

9. Non-Employees

Where concerns relate to governors, volunteers, or contractors, the principles of fairness and natural justice will apply. Investigations will be conducted proportionately, and individuals will be given the opportunity to respond. Outcomes may include removal or referral to the Charity Commission where appropriate.