The Cornerstone Academy
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Part of United Learning

POLICY NAME:	UL Disciplinary (Staff) Policy
POLICY TYPE:	UL

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DATE FOR NEXT REVIEW:	Autumn Term 1 2027
REVIEWED EVERY 1/2/3 YEARS:	Yearly

NOTES:

United Learning Disciplinary Policy

Document Control	
Document Title:	United Learning Disciplinary Policy
Version:	4.0
Summary of Changes from Previous Version:	Full review with the trade unions and clarity added on several points. Notice periods for hearing/meetings amended to 5 working days (8 for appeal against dismissal), with up to 5 working days extension of rep/companion unable to attend. Examples of gross misconduct updated.
Name of Originator/Author (including job title):	Reward and Policy Team
Target Audience:	All staff
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1 Scope

The policy and procedure set out in this document applies to all staff employed by United Learning (United Learning Trust and United Church Schools Trust).

We are a values-led organisation which puts children first, expects the best from everyone and aims to bring out the best in everyone.

Where this policy refers to 'School' or 'Headteacher' within Central Office this should be interpreted to refer to the department where a member of staff works and their Head of Department. Where in the case of formal hearings it refers to the attendance of the Chairperson of the Local Governing Body, this should be substituted to mean another Executive Team member, other than the individuals own Head of Department.

When conducting formal hearings please refer to the 'United Learning Guidance for Disciplinary, Grievance and Capability Hearings and Appeals' (available on the United Hub).

2 Introduction

2.1 This procedure has been designed to help and encourage all our employees to achieve and maintain required United Learning standards of conduct. It is intended to ensure that all staff are treated fairly, consistently, in accordance with United Learning's Equality Policy, and that they are aware of the steps to be followed in the event of an alleged breach of discipline. Where disciplinary action may be required, it is clearly in the best interests of both the employee and United Learning that all disciplinary actions are prompt, consistent, thorough and impartial.

2.2 In the case of a Headteacher being subject to the disciplinary procedure, the term 'Headteacher' in the process below should be read as the 'appropriate Regional or Education Director'.

3 Disciplinary Action

3.1 When a potential disciplinary matter arises, the Headteacher will nominate a person (the Investigating Officer) to promptly gather all relevant evidence, including witness statements, documents, cctv recordings, etc., to assess whether this supports the allegation and suggests that there may be a disciplinary case to answer.

3.2 Having reviewed the outcome of the investigation the Headteacher will decide if there is: no case to answer; deal with it informally, e.g. through management advice and guidance; or arrange for the matter to be dealt with under the disciplinary procedure.

3.3 You would be formally notified of the person appointed to investigate an allegation of misconduct and they will always be different to the person who chairs any disciplinary hearing. Investigating Officers will have received adequate training or be experienced in the task and will not have been involved in the circumstances giving rise to the disciplinary situation.

3.4 If you are the subject of a management investigation meeting with an Investigating Officer into your conduct, then you have the right to be accompanied by a colleague or a trade union representative. Such a meeting should usually be held within 5 working day and effort will be made to find a mutually convenient time. A note-taker will usually be present and notes from the meeting will be circulated for agreement. Where agreement cannot be reached this will be noted and a record of both versions retained.

3.5 If it is decided that the matter is to be dealt with under the disciplinary procedure, the Headteacher will inform you and will set out the alleged misconduct in writing, stating if the allegation constitutes misconduct or the more serious gross misconduct. You will also receive written notice of the hearing date (see 3.2 below) and that you are entitled to be accompanied at the hearing by a work colleague or your trade union representative.

3.6 This procedure will not be used in every situation where the Headteacher or a senior manager has concerns about a person's conduct. Minor shortfalls from acceptable standards of conduct may be dealt with informally as part of day-to-day management, through advice, counselling, standard setting and agreed training. You will be informed what improvement is expected from you, within what timescale and that further occurrences could lead to formal disciplinary action under this procedure being taken against you. A memorandum of any informal discussions, proposed actions and decisions may be made and a copy provided to you and your trade union representative if so requested, but will not be used as a warning within this procedure.

3.7 Concerns regarding accredited trade union representatives can be investigated, but should not proceed to a disciplinary hearing without first advising the appropriate local, regional or JNC senior officer, with the member of staff's consent.

4 Hearings or Meetings including Appeals

4.1 Any disciplinary action (i.e. written warning, suspension or dismissal) will only be taken after a hearing or meeting and in accordance with the following procedure.

4.2 You will be given:

a) Not less than five working days' notice in writing of any disciplinary hearing and you will be informed in writing of the complaints made against you and given copies of all relevant documents and any supporting evidence. In addition, both you and the School should provide the other with details of any witnesses that you intend to call or witness statements, at least two working days before the hearing.

b) Not less than five working days' notice in writing of the hearing of an appeal against a warning;

c) Not less than eight working days' notice in writing of the hearing of an appeal against dismissal.

d) A further extension of up to 5 working days will be granted if the employee's trade union representative or companion is unable to attend within the initial notice period.

4.3 Where it is envisaged that the potential outcome of a hearing may lead to a final warning or to a dismissal, you will be informed of that possibility in writing prior to the hearing, in accordance with 3.2 (a) above.

4.4 Unless otherwise agreed by you, any hearing or appeal will take place during a working day. For the purposes of this clause working days are those days when you are required to be available to perform your duties in accordance with the terms of your contract of employment.

4.5 At any disciplinary hearing or appeal the School will explain the concern or allegation. You will be given an opportunity to respond to the concerns/allegations and to ask questions of the School and any previously notified witnesses in attendance, present your case and call any previously notified relevant witnesses, or present witness statements, before any decisions are reached.

4.6 At any disciplinary hearing or appeal you will have the right to be accompanied by a colleague from your School or your trade union representative. Your chosen companion may; address the hearing to put/sum up your case; respond on your behalf to any views expressed; or confer with you. However, they may not answer questions on your behalf.

4.7 The disciplinary procedure may be initiated by the Headteacher or by a senior manager and a disciplinary hearing may be chaired by the Headteacher or by a senior manager or a member of the local governing body.

4.8 At any disciplinary hearing the Headteacher may arrange for an appropriate person (usually the Investigating Officer) to be present as a witness and/or to present the evidence if required. The Headteacher will arrange for someone to take notes to create a written record of the meeting.

4.9 All meetings will be minuted and a copy provided to you and your trade union representative (if you have chosen to be so represented) within at least seven working days with a view to agreeing the written record of the meeting. If agreement cannot be reached, this should be noted and both versions retained.

4.10 An HR Business Partner, or a qualified HR Officer at school level, will be present at all disciplinary or appeal hearings to provide advice on matters of law and process and be consulted before any disciplinary action is taken.

4.11 Where the issue being considered requires specialist advice from a specific professional expert e.g. a child protection practitioner, this will be obtained before any decision is taken. Details of any such advice that has been taken into account when reaching a decision will be contained within the written communication of the result of the hearing. All child safeguarding issues should be managed with reference to the School's Safeguarding Policy.

4.12 In arranging a date for a meeting under this procedure, every effort will be made to find a mutually convenient date, including taking account of the availability of your chosen representative. If you fail to agree a date within a reasonable timeframe or fail to attend a hearing without good reason, the school may proceed to make a decision based on the available evidence.

4.13 You will be informed in writing of the decision of any disciplinary hearing or appeal within seven working days. Decisions will not normally be communicated on the day and this letter will clearly set out the rationale behind the decision taken.

4.14 In informing you of the decision of any disciplinary hearing, you will also be informed of your right of appeal.

4.15 An appeal hearing will take place on a working day as soon as is reasonable and practicable after the original warning or decision to dismiss.

5 Warnings

5.1 If your alleged misconduct cannot be resolved informally as part of day-to-day management (see 3.6 above), or if a first offence is sufficiently serious, you may be given a first written warning after a disciplinary hearing by the Headteacher or senior manager.

5.2 If there is further misconduct within the 'life' of the original warning, you may be given a final written warning after a disciplinary hearing (subject to the conditions specified in 3 above), by the Headteacher or senior manager.

5.3 A first warning may be a final warning if the incident concerned is of sufficient gravity. A final written warning will say so and will mention specifically the possibility of dismissal if there is no, or insufficient, improvement.

5.4 A written warning will set out the nature of the offence, the change in behaviour required, the likely consequences of further offence and your right of appeal.

5.5 Records of warnings will be kept on your personnel file, will expire after one year from the date of issue and will be disregarded after expiry. Expired warnings cannot be used to escalate a disciplinary sanction, but can be taken into account as context should another disciplinary matter arise, e.g. a history of similar conduct.

6 Gross Misconduct

6.1 Gross misconduct may lead to summary dismissal for a first time offence.

6.2 A note of examples of what United Learning considers to be gross misconduct is set out in paragraph 10 below. This list is intended to show examples only and is not intended to be exhaustive.

7 Suspension

7.1 Suspension is a neutral act and is not considered to be disciplinary action. It should never be automatic and should only be considered in cases involving very serious concerns and/or when necessary for the purposes of the investigation or to preserve evidence or protect parties involved (including the suspended individual) and where there isn't a reasonable alternative measure that would achieve the same purpose.

7.2 Suspension will be on full pay and will remove you from all performance of your duties. You will not usually be able to come onto School premises or contact colleagues while suspended.

7.3 A written record confirming your suspension will be provided to you within three working days of the suspension. Unless you have specific permission from the Headteacher in writing, you may not be present on any part of the School site during the time of your suspension. All suspensions will be kept under review and will not last longe than is necessary.

7.4 For further information on suspensions, please refer to United Learning's Suspension Guidelines.

8 Dismissal

8.1 If, following a final warning that is still live and against which no appeal has been upheld, there is further misconduct (which does not amount to gross misconduct), the Headteacher may, whilst adhering to the terms of the disciplinary procedure, terminate your employment with notice. In the event of gross misconduct, the Headteacher may terminate your employment summarily i.e. without notice. The decision to terminate your employment may only be made after a disciplinary hearing by the Headteacher. A Headteacher may only be dismissed following consultation with the Chief Executive, the Chair of the Local Governing Body (or in their absence their appointed nominee) and United Learning's Director of HR.

9 Appeal against Warnings and against Dismissal

9.1 You have the right to appeal against all written warnings issued by managers, other than the Headteacher, by sending written notice to the Headteacher within ten working days of notification of the decision, setting out the specific grounds for your appeal. The appeal will be heard by the Headteacher and a member of the Local Governing Body, who will have had no previous involvement in the case. Their decision will be final. An HR Business Partner will be present to advise the hearing on matters of law and process.

9.2 You have the right to appeal against warnings given by the Headteacher by sending written notice to the Director of HR within ten working days of notification of the decision, setting out the specific grounds for your appeal. The appeal will be heard by the Chair of the Local Governing Body or their delegate or an appointed senior officer of United Learning (or the Chief Executive, or appropriate nominee, in the case of a Headteacher appealing). The person hearing the appeal will not have been involved in the original decision or investigation. Their decision will be final. A senior member of the HR team will be present to advise the hearing on matters of law and process.

9.3 You have the right to appeal against dismissal by sending written notice to the Director of HR within ten working days of notification of the decision, setting out the specific grounds for your appeal. A panel of two people usually including a governor and a senior officer of United Learning will hear the appeal. The members

of the committee will not have been involved with the original decision. The appeal committee may include an appropriate senior officer of United Learning, e.g. Regional Director, Education Director, Executive Principal, or any member of the Local Governing Body of any United Learning school. An HR Business Partner who has not previously been involved in the case will be present to advise the hearing on matters of law and process.

9.4 The appeal decision shall be final. If the dismissal is upheld, the date of the dismissal shall be the date of the original dismissal.

9.5 All appeal hearings will be conducted as outlined within section 3 'Hearings or Meetings including Appeals' of this procedure.

9.6 Appeal hearings will not normally take the form of a full rehearing of the case against you. However, both yourself and the School can request that new relevant evidence be presented at the hearing. Any such request must be submitted to the appeal panel at least five working days before the hearing. The decision of the appeal panel in this respect is final.

10 Examples of Gross Misconduct

10.1 The following are examples of behaviour that could, but may not necessarily, constitute gross misconduct:

a) Serious deliberate or repeated refusal to obey a proper and reasonable instruction;

b) Deliberate serious or repeated neglect of duty;

c) Behaviour either inside or outside work that risks bringing the School or United Learning into serious disrepute;

d) A serious breach of safety requirements likely to endanger other people or yourself, or to cause damage to United Learning's property;

e) Unprofessional or deliberate disclosure of confidential information and disclosure of information in breach of the Data Protection Act and the GDPR;

f) Being unfit for work due to the influence of alcohol or prescribed drugs (consideration will be given as to whether the disciplinary procedure is applicable and what support for the individual may be appropriate in the given circumstances);

g) Unauthorised use of alcohol or any use of illegal or recreational drugs within School premises or during any extracurricular activities organised by the School or in the presence of parents of students during working time or at any time whilst in the company of students;

h) False claims as to qualifications, experience or previous employment;

i) Unauthorised removal of United Learning's property;

j) Stealing from United Learning, its employees, or from students and other offences of dishonesty;

k) Intentional damage to United Learning's property, including ICT systems;

l) Seriously inappropriate use of United Learning's computer system and of the internet and non-compliance with any policy issued by your School addressing these matters e.g. seriously inappropriate conduct or posts on social networking/media sites such as Facebook, X (Twitter), Instagram, WhatsApp and TikTok, or similar, or using such a site to contact or communicate with students;

m) Sexual misconduct at work or involving students of the School whether in school or out of school;

n) Breaches of United Learning's Equal Opportunities Policy;

o) Physical assault or fighting including at formal or informal school social events happening outside school site or working hours;

p) Bullying and/or harassment;

q) Legal disqualification;

r) Serious breach of the Teachers' Standards which could bring the school or United Learning into disrepute;

s) Serious breach of Keeping Children Safe in Education and United Learning safeguarding guidance.

10.2 These examples of gross misconduct are not exhaustive and there may be other offences of a similar gravity which would in the circumstances constitute gross misconduct. The procedure for handling gross misconduct is set out in the disciplinary procedure.

11 Disclosure of Criminal Convictions

11.1 A criminal offence committed outside United Learning's employment will not automatically be treated as reason for dismissal. The main consideration will be whether the offence is one that makes you unsuitable to work within an education establishment, or which has the potential to cause reputational damage or impact to United Learning or the school.

11.2 As this post involves contact with children, the Rehabilitation of Offenders Act 1974 does not apply so all criminal convictions and cautions must be disclosed. Failure to do so, or falsification of qualifications or employment history, may render you liable to summary dismissal as explained in the relevant paragraph above.

11.3 With the exception of road traffic offences, other than those that can be punished by a sentence of imprisonment, you must declare any Court or Police action including cautions or investigations whilst you are in the employment of United Learning. Such disclosure will not necessarily make you liable for dismissal under the terms above as the main consideration will be whether the offence makes you unsuitable for work in a school or unacceptable to other employees. Failure to disclose maymake you liable to summary dismissal as explained in the relevant paragraph above.

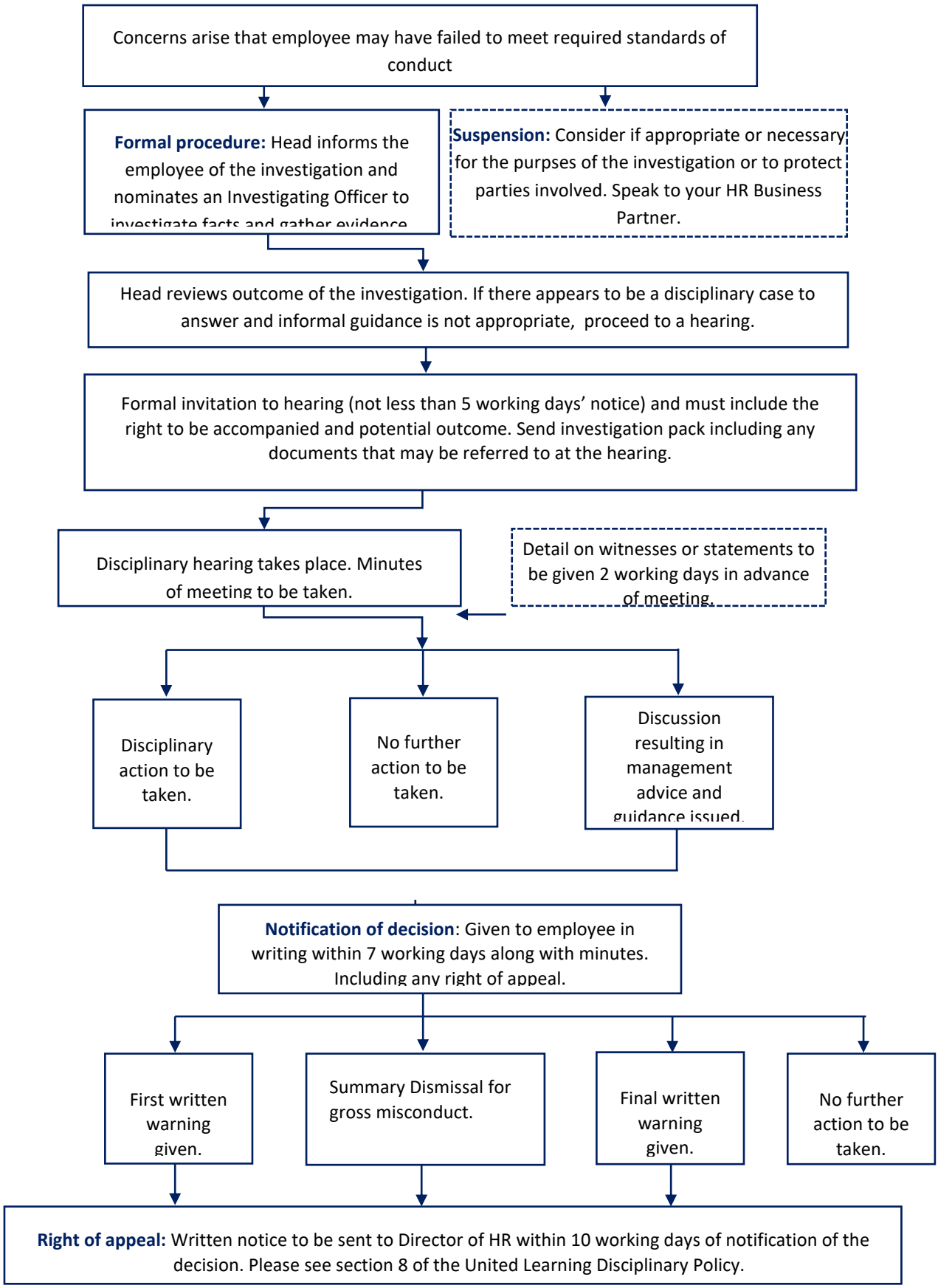
12 Employee Support

12.1 Employees can obtain free and confidential information, support and counselling on a wide range of work, personal, financial and family issues. All employees can access free support from Health Assured. Health Assured can be contacted through wisdom.healthassured.org/login or by calling 0800 092 0987. Employees can also contact their trade union for support.

13 Review

13.1 For the avoidance of doubt this procedure is non-contractual and United Learning reserves the right to review and amend this procedure. Such a review would also include full consultation with its recognised trade unions.

Appendix 1: United Learning Disciplinary Procedure Flowchart



Date of this review:	Autumn Term 1 2026	Review Period	Yearly
Date of next review:	Autumn Term 1 2027	Owner:	C.Phillips
Type of policy:	United Learning	Approval By Principal: Mr C Phillips	

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Ambition ■ Confidence ■ Creativity ■ Respect ■ Enthusiasm ■ Determination