



**LAURUS**  
TRUST

# **Disciplinary Policy**

**Date of Review: 01/04/2024**

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<b>Author</b>	S Carty
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<b>Date and Responsibility of next update/review</b>	The Disciplinary Policy will be monitored and reviewed every 3 years, unless there is a statutory change
<b>Trade Union Consultation</b>	
<b>Ratification Date</b>	
<b>Audience</b>	All employees
<b>Related Documents</b>	<p>Probation Procedure</p> <p>Procedure for Handling Employee Hearings at the Laurus Trust</p> <p>Bullying and Harassment Policy</p> <p>Grievance Policy</p> <p>Capability Policy</p> <p>Safeguarding Policy</p> <p>Keeping Children Safe in Education</p> <p>Sickness Absence Policy</p> <p>Whistleblowing Policy</p> <p>Code of Conduct</p>
<b>Legal Framework</b>	<p>The Equality Act 2010</p> <p>The Employment Rights Act 1996</p> <p>Employment Act 2002 (amended 2008)</p> <p>Data Protection Act 1998</p> <p>The General Data Protection Regulation (EU) 2016/679</p> <p>ACAS Code of Practice on Disciplinary and Grievance Procedures</p> <p>School Governance and Staffing Regulations, 2003</p>

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# Introduction

The Trust is committed to providing a safe and effective working environment in which all employees are able to work to the best of their abilities. To achieve this, it is important that all staff understand the standard of behaviour expected of them.

The Trust believes that all employees aim to meet the high standards of conduct which are expected of them. However, the Trust also recognises that when an employee's conduct falls below these expectations, it is important to have a policy and procedure in place to deal with any issues of misconduct or gross misconduct in a fair, consistent and supportive manner.

The Laurus Trust is committed to equality and diversity principles in operating this procedure. At all stages, the application of this policy will be carried out in accordance with the Trust's duty and commitment to encouraging equality, diversity and inclusion among our employees, and eliminating unlawful discrimination.

When applying this policy, the Trust will not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origin), religion or belief, sex and sexual orientation.

Information relating to investigation and disciplinary will be handled carefully and in accordance with the Data Protection Act 1998 and The General Data Protection Regulation to ensure that sensitive details remain confidential.

## Scope

1. This policy and procedure applies to all employees of the Laurus Trust.
2. This policy does not apply to the termination of a fixed-term or other temporary contract.
3. The stages outlined within this policy are consistent with those contained within NJC Terms and Conditions and Teachers Terms and Conditions (Burgundy Book), NJC for Local Government Services National Agreement on Pay and Conditions of Service (Green Book); and accord with legal requirements and with the ACAS Code of Practice and Guidance.
4. The Trust is responsible for ensuring that the Disciplinary Policy is ratified and regularly reviewed.
5. This policy should not be viewed primarily as a means of imposing sanctions; its key purpose is to encourage improvements in behaviour / conduct.
6. The policy covers conduct issues in the workplace and in any work-related setting outside the workplace.
7. This policy should not be used for managing sickness absence, as cases of this nature will be dealt with under the Sickness Absence Policy. However, circumstances in which an employee

is 'absent without leave' or considered to be on unauthorised absence do fall within the scope of this policy.

8. This policy should not be used for managing underperformance, as such cases will be dealt with under the Capability Policy.
9. This policy may be used to investigate complaints raised against staff under the Grievance Policy and Bullying and Harassment Policy, where appropriate.
10. The Trust retains the right to apply discretion when managing the conduct of newly appointed support staff during their probationary period. Each case will be assessed on an individual basis, and it may be determined that any conduct issues for staff within their probation period should be dealt with as part of the probation procedure, up to an including a Formal Probation Hearing being held.
11. This policy is not intended to cover all possible circumstances which may arise and the types of misconduct and gross misconduct listed are provided as examples only. The omission of a specific type of misconduct or gross misconduct does not mean that the policy is not applicable.
12. The purpose of this policy is to:
  - Outline the informal and formal processes for dealing with issues of misconduct and gross misconduct;
  - Explain the Trust's approach to dealing with issues relating to misconduct and gross misconduct;
  - Clarify the expectations of all staff with regards to their behaviour / conduct;
  - Signpost to supporting information.

## Principles

1. The Trust has a statutory duty to refer a case to / seek advice from the appropriate contact at the local authority, such as the Local Authority Designated Officer or Senior Safeguarding Lead, if an allegation is raised relating to safeguarding children and/or vulnerable adults. Safeguarding should always be the first priority and takes precedence over any disciplinary proceedings.
2. Where an allegation involves potential criminal activity, the Trust may need to report it to the police. The Trust will not normally wait for the outcome of any prosecution before deciding what, if any, action to take under the Disciplinary Policy.
3. If an employee fails to comply with any aspect of the Disciplinary Policy, this in itself may be considered as misconduct and could result in formal action being taken, as appropriate.
4. This policy should not be used as a substitute for the normal day to day management of staff, whereby behavioural expectations are clearly communicated and issues are dealt with promptly.
5. Where appropriate, behaviour / conduct issues should be dealt with informally in the first

instance. However, in situations where an employee's conduct has not improved despite an informal approach, or where the matter is deemed to be serious, the formal process may commence.

6. No action shall be taken against any individual who is a recognised officer or representative of a professional association or trade union until the circumstances have been discussed with a full time or other official of the individual's trade union.
7. Under the formal procedure, employees will be provided with details of the allegation(s) made against them at the earliest opportunity.
8. The nature of the allegation(s) may change during the course of the investigation, in which case, the employee will be advised of the specific allegations to be considered at any subsequent disciplinary hearing.
9. Employees will have the opportunity to respond to the allegation(s) in full before a decision is taken to progress the matter to a formal disciplinary hearing.
10. An employee will not be dismissed for a first offence, unless the matter is deemed to constitute gross misconduct.
11. If a decision is taken to dismiss an employee on the grounds of gross misconduct, this will normally be summary dismissal i.e., without notice.
12. A disciplinary sanction will not be issued at a higher level than at which the hearing is arranged. For example, if an allegation of misconduct is raised, this will not result in an employee's summary dismissal. However, if an employee has a 'live' final written warning on file and an allegation of misconduct is made and proven, this could result in their dismissal, with notice.
13. All involved parties should maintain confidentiality throughout the process and the details should only be discussed with those directly involved.
14. Employees have the right to be accompanied by a trade union representative or work colleague at all formal meetings held under the Disciplinary Policy.
15. Employees may have a trade union representative or work colleague present at a meeting held under the informal stage of the procedure, as long as they are immediately available.
16. The Trust reserves the right to request that an employee brings an alternative representative to a meeting held under this policy in the event that they wish to bring a colleague who is deemed to have involvement in the case and would therefore represent a conflict of interest. For example, if the Trust plans to interview the colleague as a witness.
17. There is no entitlement for the employee to be accompanied by a legal representative unless the Trust is legally represented.
18. Cases will be handled in a timely manner and where there is a delay, the individuals involved will be notified of the reason and anticipated date of conclusion.
19. Being invited to attend a formal investigation or disciplinary meeting or hearing in itself will not normally be considered grounds for appeal. However, employees have the right to appeal against the outcome of a formal disciplinary hearing held under this policy.
20. Dependent upon the individual circumstances, if an employee raises a grievance during a disciplinary process, the disciplinary procedure may be temporarily suspended in order to deal

with the grievance. Where the grievance and disciplinary cases are related, it may be appropriate to deal with both issues concurrently.

- 21.** In the event that an employee is unable to attend a formal investigation meeting or disciplinary hearing meeting arranged under this procedure, it will normally only be rearranged on one occasion. If an employee is unable to attend on the second occasion as they are absent due to sickness, consideration will be given to any reasonable adjustments which can be put in place to support their contribution to the process. For example:

  - A referral can be made to occupational health for further advice around the employee's fitness to attend a meeting;
  - The location of the meeting can be changed to an alternative venue, such as another school within the Trust;
  - A representative (colleague or trade union representative) can attend the meeting to respond to the allegation and state the case on the employee's behalf;
  - The employee can make written submissions to be considered at the meeting;
  - The employee can be provided with details of any questions that will be asked as part of the meeting in advance / the questions can be provided in writing during the meeting;
  - Regular breaks can be allowed during the meeting;
  - The employee can be allowed additional time to consider any questions asked prior to providing a response.
- 22.** Informal fact-finding exercises will normally be carried out by an employee's line manager, or another manager with an appropriate level of seniority.
- 23.** Where it is determined that a matter should be considered at a formal investigatory interview, an Investigating Officer will be assigned. The Investigating Officer will be a manager at the appropriate level e.g., an Assistant Head of School, Deputy Head of School or another member of the senior leadership team (SLT) up to and including the Head of School or Executive Head. They will be supported by a member of Trust HR.
- 24.** Where a matter is progressed to a disciplinary hearing, a chair will be assigned. The disciplinary hearing chair should be independent with no prior involvement in the case. The chair should be a manager with the appropriate level of authority, for example, the Head of School, Executive Head or another member of the SLT. They will be supported by a member of Trust HR.
- 25.** Where a potential outcome of a disciplinary hearing is dismissal, the chair must have the appropriate level of authority.
- 26.** Appeal hearings will be conducted by a manager with the appropriate level of seniority and should be independent with no prior involvement in the case, for example, the Executive Head, CEO or another member of the SLT. They will be supported by a member of Trust HR.
- 27.** The level of seniority of the manager leading each stage of the formal process will normally increase in-line with the escalation of the stage. For example, a Deputy Head may act as the Investigating Officer followed by a Head of School chairing the disciplinary hearing and an Executive Head chairing the appeal hearing. However, the Trust reserves the right to amend

this dependent upon the individual circumstances. For example, a Head of School may conduct an investigation process and a separate, uninvolved Head of School may chair the disciplinary hearing.

28. Audio or video recording should not be made by any party at any stage of the informal or formal process.
29. Detailed (but not verbatim) notes will be made by Trust HR at all meetings held under the formal process, which will be shared with all parties following the meeting to allow any amendments to be requested.
30. The Trust reserves the right to implement a modified procedure in the event that an allegation is brought against a Head of School, Executive Head or CEO. Under these circumstances, the Board of Trustees will be consulted and an appropriate process will be agreed upon.

## Roles and Responsibilities

### Role of Employee

1. All employees have a contractual responsibility to attend work and carry out the requirements of their role and should therefore:
  - Adhere to the Trust's policies and procedures;
  - Ensure to behave appropriately and in-line with the Trust's expectations;
  - Avoid activities that are likely to impact on their conduct at work;
  - Comply with all safe working practices and engage in health, safety and wellbeing strategies conducive to supporting satisfactory conduct in work;
  - Attend meetings arranged under this procedure;
  - Engage in assisting with identifying possible support mechanisms and co-operate with their manager to maintain their conduct in work.

### Role of the Manager

1. Managers are responsible for identifying and addressing any concerns relating to the behaviour of their team. Therefore, managers should:
  - Apply the Disciplinary Policy fairly and consistently in consultation with Trust HR, taking the individual circumstances of each case into consideration;
  - Monitor the conduct of their direct reports and notify an employee immediately if their behaviour is a cause for concern;
  - Ensure that employees are aware of the standards of behaviour expected of them;
  - Keep a confidential record of all informal discussions relating to an employee's conduct.

## Role of HR

1. The role of HR is to provide support and guidance to managers and employees. HR will:
  - Provide guidance and advice to managers on how to deal with specific conduct issues;
  - Ensure that the policy is applied fairly and consistently, taking into account the circumstances of each case;
  - Be present at formal meetings arranged under the Disciplinary Policy;
  - Write and send the invite and outcome letters for any formal meeting held under this policy, in consultation with the manager.

## Timescales

### Informal Procedure

1. Formal written notice will not normally be provided at the informal stage, as meetings during this part of the procedure will normally take place organically and as soon as an issue arises e.g., as part of a regular 1-2-1.
2. A Professional Note of Guidance will remain 'live' for a period of 12 months from the date of issue and will be disregarded for disciplinary purposes after this time.

### Formal Procedure

1. Written notice to attend a formal investigation meeting: although a specific amount of notice is not required, the Trust will endeavour to provide employees with a reasonable amount of notice, for example, 2 working days.
2. Written notice to attend a disciplinary hearing: 10 calendar days.
3. All information / evidence to be considered as part of a disciplinary hearing should be shared with all concerned parties a minimum of 5 working days before the hearing date.
4. Written outcome of a disciplinary hearing: within 7 working days of the meeting taking place.
5. First and final written warnings will remain active for 12 months from the date of issue and will be disregarded for disciplinary purposes after this time. If there are further conduct / behavioural concerns during this period, a further investigation process may be convened.
6. Written notification of an employee's appeal against any decision taken following a disciplinary hearing: within 7 working days of the date of the written outcome.
7. Appeal hearings will normally be arranged within 21 calendar days of receipt of the appeal letter.
8. Written outcome of an appeal hearing: within 7 working days of the hearing taking place.

# Examples of Misconduct and Gross Misconduct

1. These lists are not intended to be exhaustive and do not cover all possible circumstances which may arise. Each case will be assessed on an individual basis.
2. Misconduct may include, but is not limited to:
  - Poor timekeeping / lateness;
  - A minor breach of the Trust's policies and procedures;
  - Short-term unauthorised absence from work;
  - Failure to follow a management instruction;
  - Misuse of Trust facilities, for example, email and the internet.
3. Gross misconduct may include, but is not limited to:
  - A serious breach of the Trust's policies and procedures;
  - Long-term or persistent unauthorised absence from work;
  - Serious insubordination;
  - Bullying, harassment or victimisation (refer to the Bullying and Harassment Policy for further information);
  - Physical violence or intimidation;
  - Theft, falsification or fraud;
  - Deliberate and serious damage to property;
  - A breach of Safeguarding guidelines;
  - Reporting for work under the influence of alcohol or non-prescribed drugs / medication;
  - The use or unauthorised possession of alcohol or non-prescribed drugs / medication at work;
  - A serious breach of the trust and confidence placed in an individual as an employee of the Trust;
  - Failure to disclose an unspent criminal conviction;
  - A serious misuse of Trust facilities, for example, deliberately accessing internet sites containing pornographic, offensive or obscene material;
  - A serious act which brings the Trust into disrepute.

## Informal Procedure

1. In the first instance, managers should seek to resolve any conduct / behavioural issues informally and as early as possible as part of normal day to day management.
2. For any minor behavioural concerns, managers should carry out an informal fact-finding

process in the first instance to establish the circumstances surrounding the issue(s).

3. Where appropriate, the manager should hold an informal documented discussion with the employee to:
  - Explain the conduct / behavioural concern(s) identified, with example(s);
  - Advise of the standards expected going forwards, referring to any relevant policies and procedures;
  - Establish any likely causes of the conduct / behavioural issue(s) and agree on any support, assistance or training which can be put in place to assist the employee in meeting the required standards.
4. This discussion should be recorded using the Professional Note of Guidance pro-forma, which can be obtained from Trust HR. A copy should be provided to the employee and a copy should be held on the employee's file.

## Formal Procedure

### Investigation

1. Where conduct issues have been identified and it is determined that the informal process is not appropriate due to the nature of the concerns, or informal discussions have taken place but the conduct issues have continued, the formal investigation procedure should commence.
2. The employee should be advised, in writing, by the Investigating Officer of the nature of the allegation(s) made against them. This letter should also invite the employee to attend an investigation interview.
3. During the investigation interview, the employee (and/or their representative, if applicable) should be provided with the opportunity to respond to the allegation(s) and provide any supporting information.
4. The Investigating Officer should carry out a timely, full and thorough investigation into the allegation(s) raised, collating all relevant information and evidence. This may include but is not limited to:
  - Reviewing any 'live' disciplinary sanctions or Professional Notes of Guidance on the employee's file;
  - Interviewing witnesses;
  - Obtaining any IT or device information such as CCTV, internet browser history, email correspondence and InVentry logs.
5. As part of the investigation process, the employee may be interviewed by the Investigating Officer on more than one occasion, if deemed necessary. If this is the case, the employee will be advised in writing.
6. Once the investigation has been concluded, the Investigating Officer will collate the details of the investigation process in a written report.

7. The Investigating Officer will make an evidence-based decision regarding the most appropriate outcome. This could be:
  - No further action;
  - Informal action e.g., a Professional Note of Guidance;
  - The matter is referred to a disciplinary hearing.
8. The employee should be informed in writing of the outcome of the investigation process.

## Disciplinary Hearing

1. If the Investigating Officer concludes that the matter should be considered at a disciplinary hearing, the employee should be invited to attend in writing.
2. Arrangements for the hearing will be the same as those within the Trust's [Hearing Procedure](#).
3. There are several possible outcomes of the hearing, including:
  - No further action;
  - Informal action e.g., a Professional Note of Guidance;
  - First written warning;
  - Final written warning;
  - Dismissal, with notice;
  - Summary dismissal, without notice;
  - Action short of dismissal, with a final written warning. For example, a change to the employee's substantive role and responsibilities. If an employee refuses the terms of action short of dismissal, then dismissal will occur.
4. The employee should be informed in writing of the outcome of the disciplinary hearing.
5. Where the outcome is dismissal with notice, the employee will be entitled to formal notice in accordance with their contract of employment, or payment in lieu of notice (as appropriate).

## Suspension

1. Suspension will only be considered when it is necessary to protect the employee and/or Trust. Circumstances which may warrant suspension are include, but are not limited to:
  - When the employee's presence at work could hinder a fair and thorough investigation taking place;
  - When the employee poses a risk to themselves, someone else, property or the Trust by remaining in work. For example, if there has been a serious breach of health and safety or there is a safeguarding risk.
2. Suspension is not an assumption of guilt and should not be regarded as a disciplinary sanction.
3. Suspension should always be a last resort and should only be considered when alternatives to suspension have been considered. For example:

- Temporary redeployment to a different post or location;
  - Alternative or restricted duties.
4. Any alternative to suspension should continue until the matter is resolved, or until it is deemed appropriate for the employee to return to their substantive post.
  5. A decision to suspend can only be taken by the Head of School or a more senior member of the SLT, having taken advice from Trust HR.
  6. Normally, an employee should be advised of the Trust's decision to suspend them verbally. This would usually be undertaken by a member of staff at Assistant Head level, or more senior.
  7. In the event that it is not possible to advise an employee verbally of their suspension in the first instance, the employee will be informed in writing. Nevertheless, all decisions to suspend will be confirmed in writing regardless of whether an initial verbal confirmation has taken place.
  8. Suspended employees should be provided with a point of contact, normally a member of Trust HR, who will offer support and signpost to any relevant resources, for example, the Employee Assistance Programme.
  9. Suspended employees will continue to receive full contractual pay during the period of suspension, unless otherwise stipulated in their contract of employment.
  10. During a period of suspension, an employee is not required to attend work and should not access the workplace or contact any colleagues, students or parents without prior written consent from the Trust. However, the employee is permitted to liaise with their trade union representative, the Investigating Officer and the named Trust HR contact.
  11. The Trust's policies and procedures continue to apply to an employee whilst suspended, in particular, the processes for reporting sickness absence and making requests for annual leave.
  12. During a period of suspension, employees are required to be available to attend any meetings or interviews during their normal working day.
  13. In the event that an employee reports themselves as sick during a period of suspension, their absence will be recorded as such and will be paid in accordance with the appropriate sick pay scheme. When they become fit for work, their absence will be recorded as suspension again, unless the suspension has come to an end in the meantime, in which case they should attend work, as normal.
  14. The period of suspension should be kept to a minimum and should be reviewed after a period of 2 weeks. At this stage, the suspension may be extended for a further period of 2 weeks. The suspension should continue to be reviewed in this way every 2 weeks thereafter until a resolution is reached.

## Appeals

1. Where an employee is dissatisfied with an outcome following a disciplinary hearing, they should outline the grounds of their appeal in writing and submit to Trust HR.
2. Arrangements for the hearing will be the same as those within the Trust's [Hearing Procedure](#).
3. The purpose of the appeal hearing is to establish whether the decision taken at the disciplinary

hearing was reasonable / appropriate.

4. The chair of the disciplinary hearing will attend the appeal hearing to answer questions relating to the outcome reached.
5. The appeal hearing chair will normally inform the complainant of their decision at the end of the hearing, unless further time is required to investigate any issues raised during the meeting which are likely to impact that decision. The decision will also be confirmed to the employee in writing, with confirmation that there is no further right to appeal.
6. The possible outcomes of the appeal hearing are:
  - The original decision is upheld and remains in place;
  - The original decision is not upheld and a revised outcome is determined which will replace the original findings;
  - The original decision is not upheld, and the original outcome is completely withdrawn.

# Procedure for Handling Employee Hearings at the Laurus Trust

## Purpose

The following procedure has been adopted by the Laurus Trust as the mechanism for handling all formal hearings. It is applicable to Disciplinary, Sickness Absence, Capability, Grievance and other employee hearings regardless if they are heard by a manager, the Head of School or the board of trustees.

## Principles

It follows the ACAS recommendations in its codes of practice which sets down a number of key principles:

- Employers and employees should raise and deal with issues promptly and should not unreasonably delay meetings, decisions or confirmation of those decisions.
- Employers and employees should act consistently.
- Employers should carry out any necessary investigations, to establish the facts of any case.
- Employers should inform employees of the basis of a problem and give them an opportunity to put their case in response before any decisions are made.
- Employers should allow employees to be accompanied at any formal hearings.
- Employers should allow an employee to appeal against any formal decision made.

## Variations

- a. The appeals part of the procedure should be used to appeal against redundancy dismissals, performance related pay appeals or the non renewal of fixed term contracts on their expiry, as appropriate.
- b. In the case of an employee grievance the employee will present their case before the other party / management report
- c. A modified procedure may be agreed if all parties are in agreement and if it acts in the best interest of the employee.

## Procedure

### Introduction

The Chairperson will invite all the parties to the hearing to introduce themselves and their role at the hearing. The purpose and procedure of the hearing will be outlined by the Chairperson.

The Chairperson will confirm that the employee has had appropriate notice of the meeting, received all documentation to be discussed and has been given the right to representation.

## Management Report

- The Chairperson will ensure that all parties have had the opportunity to read the management report.
- The Chairperson will confirm if all parties are comfortable to proceed with the hearing without the report being read out. If anyone is not comfortable to proceed, the Chairperson may decide to take an adjournment to allow all parties to read the report, or may ask the management representative to read the report out.
- The employee and the Chairperson will have the opportunity to ask the management representative factual questions about the report.
- Management witnesses will be called, if required, to give their evidence and the management representative will be able to ask questions of the witnesses.
- The employee or their representative will be able to ask questions of each witness.
- The Chairperson and members of the panel may question witnesses as necessary for the purpose of clarification.
- The management representatives will re-question the witness as necessary.
- This process will be repeated until all the management witnesses have been called.

## Employee Presentation

- The employee or their representative will make an opening address outlining the employee's case.
- The employee's witnesses will be called, if required, to give evidence and the employee or their representative will be able to ask questions of the witnesses.
- The management representative will be able to ask questions of each witness.
- The employee may give evidence and will be treated in the same manner as other witnesses. There is no requirement for the employee to give evidence if they choose not to do so.
- The Chairperson and members of the Panel can question witnesses as necessary for the purpose of clarification.
- The employee's representative will re-question each witness, as necessary.
- The employee may give evidence but does not necessarily have to. If they chose to do so the same procedure for questioning of the employee will be followed as outlined for that of witnesses
- This process will be repeated until all the employee's witnesses have been called.

## Summing Up

- The management representative will have the opportunity to sum up the facts of the case.
- The employee or their representative will have the opportunity to sum up their case, if they wish. The employee will be permitted to have the final word.

## **The Decision**

- The management representatives, the employee and their representative will leave the hearing.
- The panel, together with any advisers will deliberate in private. When a decision is reached the employee and their representative shall be asked to return and the Chairperson will announce the panel's decision and any appeal process. If the panel are unable to reach a decision at that time arrangements will be made and confirmed with all parties about the communication of the outcome or the meeting will be adjourned and a further outcome meeting arranged at a later stage.
- The outcome shall be confirmed in writing.

## **Appeals**

- The appeals process will mirror that outlined above in clause 2 except that the employee will present their case before management presents their case.
- The appeal panel's decision will be final and no further processes will be held by the Trust.

## **General Guidance**

- The employee should be advised in writing of the date, time and location of the hearing.
- The employee may offer a reasonable alternative time within five days of the original date if either they or their representative is unable to attend the hearing. The hearing will go ahead on the second occasion regardless of the employee's ability to attend (unless in exceptional circumstances). They may send a representative or submit written documentation to the hearing in their absence.
- Witnesses should only be present when their evidence is required.
- Written evidence should be submitted only if previously circulated to all parties. This should be at least 5 working days before the hearing. Any additional documents tabled at the meeting will be allowed at the discretion of the Chairperson of the panel and an adjournment may be appropriate for all parties to consider the documents.
- Considerations under the Equality Act 2010 will be made for any participants including any witnesses.
- Any references to the panel or Chairperson also include the Head of School or Manager hearing the case alone.
- This document applies equally to the process for hearings and appeals.
- All parties will be permitted to give their evidence without interruption.
- Any member of the panel, management or their representative, employee or their representative may request an adjournment at any stage and such requests should be considered by the panel.
- In the event that the panel needs to recall anyone during the decision-making process to clarify points of uncertainty on evidence previously given, then both management and the employee and their representative will return, regardless that only one party is concerned with

the point requiring clarification.

- In the event of any appeal being made the individual or panel hearing the appeal must differ from that at the original hearing.
- There may be circumstances where students/pupils are involved as witnesses but where it may not be appropriate for them to appear at the hearing. In such circumstances a written statement may be produced.

## Equality Impact Statement

Names and title of people involved with this assessment	Rachel Robinson Assistant Trust Director of Inclusion
Impact assessment carried out with regard to identified characteristics	<input checked="" type="checkbox"/> Race  <input checked="" type="checkbox"/> Disability  <input checked="" type="checkbox"/> Gender  <input checked="" type="checkbox"/> Age  <input checked="" type="checkbox"/> Religion and belief  <input checked="" type="checkbox"/> Sexual orientation
Summary of any issue/proposed changes	N/A
Date	6th May 2024
Date of next review	April 2027



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