



The
Rise
Partnership
Trust
Love • Learn • Laugh

CONDUCT & DISCIPLINARY POLICY

Approved by:	Board of Trustees	Date: December 2025
Last reviewed on:	Sept 2023	
Next review due by:	September 2026	

1. AIMS

This policy aims to:

- Help and encourage all employees to achieve and maintain satisfactory standards of conduct
- Set out the procedures for when an employee's conduct falls below the expected standard
- Ensure that all employees are treated fairly and consistently when a disciplinary issue is being dealt with

2. LEGISLATION AND GUIDANCE

We are required to set out our disciplinary procedures under general employment law.

These disciplinary procedures are based on the [Acas Code of Practice on disciplinary and grievance procedures](#). This policy covers all Trust employees.

These procedures also comply with our funding agreement and articles of association

3. DEFINITIONS AND SCOPE

- A disciplinary issue will arise when an employee is alleged to have behaved or acted inappropriately and/or contrary to the staff code of conduct
- Appendix 1 sets out a non-exhaustive list of examples of what we define as misconduct and gross misconduct. For the purpose of this policy, misconduct does not cover staff capability or poor performance issues. These are addressed in our Capability Policy
- This policy applies to employees only. It does not apply to agency workers, consultants, self-employed contractors, volunteers or interns
- This policy does not form part of any contract of employment or other contract to provide services, and we may amend it at any time

4. DISCIPLINARY PROCEDURES

Informal Procedure - Minor disciplinary issues

Minor disciplinary issues will be dealt with informally at first, and will be escalated only where:

- There has been no resolution
- The issue is more serious
- There are repeated or multiple instances of misconduct
- There is suspected gross misconduct

When dealing with an issue informally, the employee's line manager will organise a meeting with the employee and set out the concerns.

This meeting will be held without undue delay whenever there is cause for concern. The line manager will remind the employee of the expected standard of behaviour and consider what support is needed to help them improve. Notes will be taken and retained. Where appropriate, a note of an informal discussion may be placed on the employee's personnel file.

If the issue cannot be dealt with informally, for example due to the seriousness of the alleged misconduct, or if the matter is not resolved following an informal meeting, formal procedures will

begin. The employee will be notified of this in a face-to-face meeting with a Senior Leader to be held in person, or over video conferencing if necessary. This will be followed up in writing.

5. FORMAL STAGES OF THE DISCIPLINARY PROCEDURE AND DISCIPLINARY SANCTIONS

5.1. The School/Trust reserves the right to take a range of actions in addition to formal warnings or as an alternative to more serious disciplinary action depending on the circumstances of the case. Such actions may include withholding annual pay increments or other pay supplements, demotion for a specified or unspecified period or transfer to an alternative job or location with or without a reduction in the contractual rate of pay.

5.2. The formal stages of the Disciplinary Procedure are based upon a graduated system of warnings with more serious sanctions being applied where poor conduct is repeated, or the employee fails to heed previous warnings. The stages are listed below. The seriousness of the alleged matter may result in stages in the process being missed out. An employee will not normally be dismissed for a first breach of discipline. However, in cases of gross misconduct an employee may be dismissed without having had any prior formal warnings as to their behaviour / conduct:

- **Stage 1 – First Written Warning**
- **Stage 2 – Final Written Warning**
- **Stage 3 – Dismissal**

5.3 Any warning applied is regarded as live and kept on the employee's personal file for the duration of the warning and will be disregarded thereafter in determining future disciplinary sanctions. (SLT/Managers should liaise with RPT's HR department for further guidance).

5.4 Where the same type of misconduct becomes a pattern, which is repeated every time a warning ceases to be live, or the employee has a 'live' warning for a similar offence, previous warnings may be taken into account and may result in gross misconduct. The significance of the recurring issues needs to be taken into account when deciding if it should be treated as gross misconduct and advice from HR must be sought.

5.5 Where the sanction is summary dismissal this will be without pay

6. SUSPENSION

In some circumstances it will be appropriate to suspend a member of staff temporarily, for example where there is suspected gross misconduct. This in itself does not constitute disciplinary action or imply that any decision has been made about the allegations.

Where suspension is necessary:

- For staff based in Trust schools, the Head teacher must authorise the suspension. If it is the Head teacher who is the subject of the disciplinary procedure, the CEO and Chair of Trustees must authorise the suspension
- For staff not based in a particular school, such as Trust central team staff, the suspension must be authorised by the CEO
- Where possible, the employee will be informed of the suspension in a face-to-face meeting held in person, or over video conferencing if necessary, followed by a notification in writing within 7 working days
- The employee will be permitted to be accompanied to the meeting by a colleague, a trade union representative or a trade union official
- The employee will be suspended on full pay

- While an individual is suspended, they must not visit any of RPT school premises or contact any pupils, parents/carers or other members of staff, unless authorised to do so by the Head teacher or CEO
- Suspension does not constitute part of the formal disciplinary procedure and does not imply any assumption that the employee has committed gross misconduct. However, failure to observe the terms of suspension, detailed in Paragraph 9.4 of this document, may invoke disciplinary proceedings.
- During the period of suspension, unless otherwise informed, the employee is:
 - Prohibited from entering their place of work other than for the purposes of attending investigatory interviews or attending a disciplinary hearing.
 - Prohibited from contacting any pupil, parent, employee of the School other than their representative or designated contact. This prohibition does not prevent the employee from having social contact with their colleagues outside of the workplace, provided the disciplinary issues that are the cause of the suspension are not discussed.
 - Prohibited from undertaking alternative employment with another employer.
 - Obligated to co-operate with the disciplinary investigation including any request to provide or identify documents and attend meetings.
 - Obligated to ensure that they are, and remain, available and contactable during normal working hours.
 - Suspension will be for the shortest time possible. However, suspension will usually continue until either it is decided not to proceed with a disciplinary hearing against the employee or the disciplinary hearing has taken place and the employee has been informed of the outcome of it. In most cases where it is anticipated that the employee will be suspended for a period exceeding three calendar months there shall be a review at monthly intervals to determine whether it is necessary for the employee to remain suspended.
- A suspension may be extended due to investigations conducted by external parties (e.g. police, social services, etc.)

7. INVESTIGATION

An investigation will be required to establish whether or not there is a case for the employee to answer at a formal disciplinary hearing. Where an investigation takes place, the School / Trust will aim to conduct it promptly and without unnecessary delay. However, the nature, scale and duration of any disciplinary investigation will depend on the seriousness and complexity of the misconduct being investigated.

The School/Trust may, at the Head teacher/CEO's discretion, continue with the Conduct and Discipline process regardless of a resignation. Each case will be considered on a case-by-case basis. If it is a safeguarding related case, please liaise with your HR support and Senior DSL Lead

The person with responsibility for the investigation is the **Investigating Officer**. The Investigating Officer may also undertake the role of **Presenting Officer** in the event that there is a case for the employee to answer at a formal disciplinary hearing. The function of the Investigating Officer is to:

- Ascertain the facts and circumstances surrounding the allegation or allegations of misconduct/gross misconduct The investigation meeting will be held solely for the purposes of fact finding, and no decision on disciplinary action will be taken until after the investigation has been concluded or, if required, a formal disciplinary hearing has been held.
- Ascertain the employee's initial response to the allegation/s
- Compile a report containing a written summary of their findings

- The report to be presented to the Head teacher/EDoS) and the HR Support. In the case of an allegation/s of a safeguarding nature, the Local Authority Designated Officer (LADO), will receive a copy of the report for their comments, if any. The Headteacher/EDoS will work with the HR Support / Legal Advisor to decide if there is a case for the employee to answer at a formal disciplinary hearing.
- It may be necessary to interview witnesses who may have information that is relevant to the allegations. A record of the meeting will be made, and the witness will have the opportunity to review the record, make amendments for clarification purposes and sign and date the record. The Trust recognises that some employees may find this difficult or worrying; however, all employees are expected to participate fully in any such investigation.
- Investigation meetings are solely for the purpose of fact finding, and no decision on disciplinary action will be taken until after a disciplinary hearing has been held. A record of the meeting will be made, and the employee will have the opportunity to review the record, make amendments for clarification purposes and sign and date the record.
- Employees must co-operate fully and promptly in any investigation. This will include providing the names of any relevant witnesses, disclosing any relevant documents or information and attending investigative interviews if required. As each investigation will vary in length and complexity, it will be completed in as short a time frame as possible
- The Investigating Officer will ensure that the formal investigation is as rigorous and possible and the employee must expect that questions may be repetitive or even possibly intrusive.
- The Investigating Officer may re-interview an employee if different information emerges during an investigation.
- If the investigating officer determines that the matter should move forward to a formal disciplinary hearing, a **disciplinary officer** will be appointed to lead the disciplinary hearing. This will be a person independent from the investigating officer and they will be appointed by the CEO (The Disciplinary Panel will consist of three members; these could be a mix of Directors/Trustees and/or Governing Board Members.

8. DISCIPLINARY HEARING

- 8.1. Following any investigation, if there are grounds for disciplinary action, the employee will be required to attend a disciplinary hearing. The employee will be informed in writing of the allegations against him or her, the basis for those allegations and what the likely range of consequences will be if it is decided at the hearing that the allegations are true. The following will also be included when appropriate:
- a summary of the relevant information gathered during the investigation
 - a copy of any relevant documents that will be used at the disciplinary hearing
 - a copy of any relevant witness statements, except when a witness's identity is to be kept confidential, in which case as much information as possible will be provided while maintaining confidentiality
- 8.2. The Headteacher, will be responsible for ensuring that all of the arrangements for the hearing are made and that the employee receives the appropriate paperwork and notice of the hearing.
- 8.3. Five working days' written notice of the date, time and place of the disciplinary hearing will be given to provide the employee with a reasonable amount of time to prepare his or her case based on the information that he or she has been given. The hearing will be arranged as soon as is practicably possible.
- 8.4. If the employee and / or his or her companion cannot attend the hearing, he or she should inform the Headteacher or HR Lead immediately, and consideration will be given to arranging an alternative time. Employees must make every effort to attend the hearing, and failure to

attend without good reason may be treated as misconduct in itself. Failure to attend without good reason, or persistent inability to do so (for example for health reasons), may lead to a decision being taken based on the available evidence.

- 8.5 If the employee chooses not to attend the hearing, he or she may choose to send a written statement for consideration at the hearing or trade union representative may attend on the employee's behalf.
- 8.6 If the disciplinary hearing could potentially lead to dismissal the CEO (and in some cases, the Chair of Trustees) will also be informed and if a senior leader required to attend in accordance with Appendix 2 - Schedule of Statutory Requirements relating to Dismissals.

9. RIGHT TO BE ACCOMPANIED

The statutory right is to be accompanied by a colleague, a trade union representative or a trade union official. Employees must make the request in advance to ensure the Trust knows who the companion will be.

If an employee's chosen companion will not be available to meet at the proposed time, the hearing will be postponed to an alternative time which is reasonable and not more than 5 working days after the original date.

A companion, if a colleague, is allowed reasonable time off from duties without loss of pay, but no one is obliged to act as a companion if they do not wish to do so.

The Trust will make reasonable adjustments for disabled employees. This may include allowing an employee to bring a companion who is not a colleague, trade union representative or trade union official.

Employees should be aware that their personal information including possible sensitive information will be shared with their nominated representative unless permission to do so is formally withheld.

10. GRIEVANCES DURING THE COURSE OF THE DISCIPLINARY PROCESS

Where, during the course of the disciplinary process the employee raises a grievance about any aspect of the disciplinary process, e.g. the fact the employee has been suspended, that disciplinary action is being taken against them, the procedure being applied, or any of the individuals involved in the disciplinary process, the employee's grievance will be dealt with as part of the disciplinary hearing and will not be treated as a separate grievance under the School's grievance procedure.

11. DISCIPLINARY HEARINGS

- 11.1. The hearing will be chaired by the disciplinary officer OR if a panel hearing is required: A Chair will be appointed from the disciplinary panel. The investigating officer and a member of the HR department will also be present.
- 11.2. At the hearing, the disciplinary officer or Chair of the disciplinary panel will explain the case against the employee and go through the evidence that has been gathered. (See Appendix 3)
- 11.3. The employee will be allowed to set out their case and answer any allegations that have been made. The employee will also be given a reasonable opportunity to ask questions, present evidence and call relevant witnesses. They will also be given an opportunity to raise points about any information provided by witnesses.
- 11.4. The employee's representative can address the hearing to put and sum up the employee's case, respond on behalf of the employee to any views expressed at the hearing and confer privately with the employee during the hearing. The companion does not, however, have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish them to, or prevent the employer from explaining their case.

- 11.5. The hearing may be adjourned if further investigation needs to be carried out, such as re-interviewing
- 11.6. If the employee or their companion cannot attend the hearing, they should inform the Disciplinary Officer or Chair of the Panel immediately and an alternative time for the hearing will be arranged. The employee must make every effort to attend the hearing and failure to attend without good reason may be treated as misconduct in itself. If the employee fails to attend without good reason or is persistently unable to do so (for example, for health reasons), a decision may have to be taken based on the available evidence, including any written representations the employee has made.

It is the Trust's policy not to allow recordings of disciplinary or appeal hearings.

12. CONFIRMATION OF THE OUTCOME OF THE DISCIPLINARY HEARING

Whether or not the employee has been informed of the outcome of the disciplinary hearing orally at its conclusion, the employee will be notified of the outcome of the disciplinary hearing in writing. Written notification will normally be within 5 working days of the date of the hearing and will include:

Disciplinary sanctions Actions taken may be:

- **A verbal or informal warning** where it is decided that the action was not serious enough to warrant a formal written warning. This may be accompanied by a notification that arrangements will be put in place to improve the employee's behaviour, such as a training course or occupational health support
- **A first written warning** for a first instance of misconduct. A first written warning will be placed on the employee's personnel file and remain active for 18 months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe may result in a final warning
- **A final written warning** where the employee already has an active first warning, or where the employee's misconduct was sufficiently serious to warrant a final written warning. A final written warning will be placed on the employee's personnel file and remain active for 24 months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe may result in dismissal or other disciplinary action
- **Dismissal** where there has been gross misconduct, regardless of whether there are active warnings on the employee's personnel file, or where there has been further misconduct and there is an active final written warning on the employee's personnel file
- **Alternatives to dismissal** can be considered at the Trust's discretion. Examples include:
 - Demotion
 - Period of suspension without pay
 - Reduction in pay

The Trust will refer a case of gross misconduct by a teacher, trainee teacher or someone holding a teacher reference number to the Teaching Regulation Agency (TRA) if we believe the TRA should consider whether the teacher should be prevented from teaching (see appendix 1 for instances of when this may apply). We will also refer cases to other relevant authorities, including but not limited to the Disclosure and Barring Service, where appropriate.

13. DISMISSAL

If the disciplinary sanction is dismissal, this will be discussed and agreed by HT and CEO and Trustees informed, in accordance with the Schemes of Delegation relating to Dismissals.

14. RIGHT OF APPEAL

- An employee may appeal against a decision to issue them with any level of disciplinary sanction, i.e. first written warning, final written warning or dismissal.
- An employee seeking to appeal must do so within 10 working days of the date of written notification of the decision. The employee should send their letter of appeal, together with the grounds of appeal, to the CEO, named in the letter confirming the outcome of the hearing.
- A disciplinary appeals officer or panel will be appointed. Once an appeal has been received in writing, an appeal hearing will normally be convened promptly, allowing at least 10 working days written notice of the hearing. The role of the Appeal Panel shall be to conduct a review of the case using the previous hearing bundle and any appeal information sent from the employee. The employee will present the basis of their appeal to the Appeal Committee. HR will be present at the appeal review.
- If the employee is appealing against a dismissal, the date on which dismissal takes effect will not be delayed pending the outcome of the appeal. However, if the appeal is successful, the employee will be reinstated with no loss of continuity or pay.
- The appeal hearing will consider the fairness of the original decision in the light of the procedure that was followed, the evidence and any new information that may have come to light.
- The appeal will be dealt with impartially and by an individual or panel that has not previously been involved in the case.
- The appeal hearing may be adjourned if required to carry out further investigations in light of any new points that the employee raises at the hearing. The employee will be given a reasonable opportunity to consider any new information obtained before the hearing is reconvened.

Following the appeal hearing, this may lead to:

- Confirm the original decision
- Revoke the original decision
- Substitute a different penalty

The employee will be informed in writing of the results of the appeal hearing as soon as possible. There will be no further right of appeal.

15. NOTIFICATION

If it is decided that there is a disciplinary case to answer, the employee will receive a written notification 5 working days before the hearing. The hearing could be sooner if it is agreed by both parties. The notification will include:

- Details of the alleged misconduct and its possible consequences, including stating where dismissal is a possibility
- Copies of any written evidence, including witness statements and any relevant documents or other evidence which will be used at the disciplinary hearing
- The time, date and location of the disciplinary hearing (including the details if it is to be held over video conferencing, if relevant)
- A statement that the employee has the right to be accompanied by a colleague, a trade union representative or a trade union official

- Notification that the employer intends to call witnesses (if relevant)

If the employee intends to call witnesses, they should notify the disciplinary officer or Chair of the disciplinary panel in advance of the disciplinary hearing and it will be for the employee to arrange the attendance of their witnesses.

The employee should submit any additional evidence they intend to rely on in advance of the hearing.

16. THE EFFECT OF A WARNING

Written warnings will set out the nature of the misconduct, the change in behaviour required, the period for which the warning will remain active, and the likely consequences of further misconduct in that active period.

A first written warning will usually remain active for 18 months and a final written warning will usually remain active for 24 months. The employee's conduct may be reviewed at the end of a warning's active period and, if it has not improved sufficiently, we may decide to extend the active period.

After the active period, the warning will remain permanently on the employee's personnel file but will be disregarded in deciding the outcome of future disciplinary proceedings once it has expired.

17. CRIMINAL ALLEGATIONS

Where an employee's conduct is the subject of a criminal investigation, charge or conviction, we will investigate the facts when we are able to do so (there may be a delay in waiting for a police investigation to be conducted) before deciding whether a formal disciplinary hearing is required.

We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take. Where the employee is unable or has been advised not to attend a disciplinary hearing or say anything about a pending criminal matter, we may have to take a decision based on the available evidence.

A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to an employee's employment.

18. SPECIAL CASES

If the employee involved in a disciplinary procedure is also the trade union representative, we will notify the union and discuss the matter with an official employed by the union before action is taken, after obtaining the employee's agreement. The procedure will continue as normal.

If the employee who is subject to disciplinary procedures raises a grievance about the disciplinary allegations or the procedure itself, the grievance procedure will run concurrently.

If the employee who is subject to disciplinary procedure raises a grievance about something unrelated to the disciplinary, consideration will be given to pausing the disciplinary while the grievance is addressed.

If the person appointed to deal with the investigation, disciplinary hearing or appeal is unable to undertake the role due to previous involvement or a conflict of interests then the Trust reserves the right to substitute that person for another.

19. RECORD KEEPING

- Minutes will be kept of all interviews and meetings. Where possible, these will be confirmed as an accurate reflection of what was discussed during the meeting.

- Records of all materials relating to the disciplinary process will be kept securely, only for as long as necessary and in line with data protection law, our privacy notices and our record retention schedule.
- If disciplinary action is taken, a record of this will be added to the employee's personnel file.
- RPT will disclose any proven, unexpired disciplinary offences by an employee if a reference is requested by a future employer.

20. CONFIDENTIALITY

Disciplinary matters will be dealt with sensitively and with due respect for the privacy of any individual involved. All employees must treat as confidential any information communicated to them in connection with an investigation or disciplinary matter.

The employee, and anyone who may accompany the employee (including witnesses), must not make electronic recordings of any meetings or hearings conducted under this procedure, whether these meetings or hearings are conducted in person, by telephone, or using remote working platforms or technologies.

The employee will normally be told the names of any witnesses whose evidence is relevant to disciplinary proceedings against them, unless we believe that a witness's identity should remain confidential.

21. MONITORING ARRANGEMENTS

This policy will be reviewed every 2 years, but can be revised as needed.
This policy will be approved by the full board of Trustees

22. LINKS WITH OTHER POLICIES

This policy links with our policies on:

- Capability of staff policy
- Equality
- Privacy notice for the Trust workforce
- Records management/data protection policy
- Staff code of conduct
- Staff Workplace Resolution Policy

Appendix 1 instances and behaviours classed as misconduct

The following lists are not exhaustive.

Instances of misconduct include:

- Failure to comply with reasonable instructions from senior staff
- Failure to follow the policies, practices and requirements of the Trust
- Inappropriate use of the Trust's facilities
- Unauthorised absence from work or persistent lateness
- Unsatisfactory standards of work (not related to capability)
- Using bad language in front of pupils
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Instances of gross misconduct include:

- Deliberately acting in a way that will cause damage to the Trust's reputation
- Deliberately damaging the Trust's property
- Discrimination, harassment, victimisation and/or bullying of pupils, colleagues or visitors
- Inappropriate relationships with pupils or any other actions that would be classed as a serious safeguarding issue
- Physical violence or assault
- Serious breaches of confidentiality
- Sexual offences or misconduct
- Serious insubordination in the workplace
- Serious breaches of health and safety requirements
- Intoxication in the workplace through alcohol or drugs
- Possession of drugs or taking drugs on the employer's premises
- Theft, fraud or dishonesty at work

[Teacher misconduct guidance](#) from the TRA explains that, among other things, the following offences may be serious enough to warrant prohibition of teaching:

- Abuse of position or Trust (particularly involving pupils) or violation of the rights of pupils
- Actions or behaviours that undermine fundamental British values
- Misconduct seriously affecting the education and/or wellbeing of pupils, and particularly where there is a continuing risk
- Serious departure from the personal and professional conduct elements of the Teachers' Standards
- Sustained or serious bullying, or other deliberate behaviour that undermines pupils, the profession, the school or colleagues

Appendix 2

Schedule of Statutory Requirements Relating to Dismissals

1. Statutory Basis

- Employment Rights Act 1996 (ERA 1996) – Main legislation governing dismissals.
- Employment Act 2002, Equality Act 2010, and Trade Union and Labour Relations (Consolidation) Act 1992 (TULRCA) – Provide additional rights and procedural obligations.

2. Fairness of Dismissal (ERA 1996, s.94–98)

Employees with two years' continuous service have the right not to be unfairly dismissed. A dismissal must be for a potentially fair reason, and the employer must follow a fair procedure.

Potentially Fair Reasons (s.98 ERA 1996):

1. Conduct – misconduct or breach of discipline.
2. Capability – lack of performance, skills, or ill health.
3. Redundancy – genuine redundancy situation.
4. Statutory restriction – continued employment would breach a legal duty.
5. Some other substantial reason (SOSR) – e.g. breakdown in trust, reorganisation, or expiry of fixed-term contract.

3. Procedural Requirements

a. Investigation and Procedure:

- Reasonable investigation required (ACAS Code of Practice).
- Employee informed of allegations in writing.
- Reasonable notice of hearing.
- Right to be accompanied by a trade union representative or colleague.
- Opportunity to respond and present evidence.

b. Outcome and Right of Appeal:

- Decision communicated in writing.
- Reasons for dismissal and effective date given.
- Right to appeal offered, ideally to someone not previously involved.

4. Notice Requirements

Statutory minimum notice periods (ERA 1996, s.86):

- 1 week's notice after 1 month's service.
- 1 week for each complete year of service, up to a maximum of 12 weeks.
- Payment in lieu of notice (PILON) may be made if contract allows.

5. Written Statement of Reasons for Dismissal

- Mandatory if requested by an employee with at least 2 years' service (ERA 1996, s.92).
- For pregnant employees or new mothers, must be provided automatically regardless of service length.

6. Automatically Unfair Dismissals

Dismissal is automatically unfair if the reason relates to:

- Pregnancy, maternity, paternity, adoption or shared parental leave.
- Whistleblowing (Public Interest Disclosure Act 1998).

- Trade union membership or activities.
- Health and safety activities.
- Asserting statutory rights.
- Discrimination or victimisation under the Equality Act 2010.
- Redundancy selection based on prohibited grounds.

7. Collective Redundancy Obligations (TULRCA 1992)

If 20 or more employees are to be made redundant within 90 days, employers must:

- Consult with trade unions or elected representatives.
- Notify the Secretary of State using form HR1.
- Begin consultation:
 - At least 30 days before first dismissal (20–99 redundancies).
 - At least 45 days before first dismissal (100+ redundancies).

8. Notice of Termination

Written confirmation must include:

- Reason for dismissal.
- Notice period or payment in lieu.
- Outstanding entitlements (holiday pay, etc.).
- Right to appeal or reference to internal policy.

9. Record-Keeping and Evidence

Employers should retain:

- Investigation notes and evidence.
- Written warnings or performance records.
- Hearing notes and letters.
- Appeal documentation.

10. Remedies for Unfair Dismissal

Employment Tribunal may order:

- Reinstatement or re-engagement, or
- Compensation, capped at the lower of:
 - 52 weeks' gross pay, or
 - The statutory maximum (currently around £115,115 in 2025).

Appendix 3 – Format for a disciplinary hearing

1. Welcome by the Chair of the Panel / Hearing Officer:
 - ask everyone present to introduce themselves and explain their role
 - explain the purpose of the hearing
2. Presentation of the management case by the Investigating Officer, including evidence from management witnesses.
3. Questions from the employee / representative to the Investigating Officer / witnesses.
4. Questions from the Disciplinary Officer / panel to the Investigating Officer / witnesses.
5. Presentation of the employee's case by the employee / representative, including evidence from employee's witnesses.
6. Questions to the employee / witnesses from the Investigating Officer.
7. Questions to the employee / witnesses from the Disciplinary Officer / panel.
8. Summing up by the Investigating Officer (no new evidence).
9. Summing up by the employee / representative (no new evidence).
10. Hearing adjourned and all parties asked to leave whilst the Hearing Officer / panel consider the evidence and make a decision on the level of sanction (if appropriate).
11. All the parties return and the employee is advised of the Disciplinary Officer / panel's decision (sanction and right of appeal).
12. Notes from meeting are used to confirm the outcome in writing and sent to the employee within the timescale set out in the policy.