



Disciplinary Policy for SPaCE

Introduction

SPaCE is committed to maintaining a positive, respectful, and safe environment for all members of the provision, including staff, pupils, parents, and visitors. This Disciplinary Policy sets out the procedures to be followed when there is a need to address concerns about behaviour or performance that do not meet the expected standards. The policy aims to deal with disciplinary issues fairly, consistently, and in a manner that is in accordance with relevant legislation and best practices.

Purpose of the Policy

The purpose of this policy is to:

- Ensure that all employees and individuals associated with SPaCE understand the expected standards of conduct and behaviour.
- Provide a fair and transparent process for dealing with any breaches of these standards.
- Offer support and guidance to help individuals improve their conduct or performance.
- Ensure that any disciplinary actions taken are in line with SPaCE's values and relevant legal frameworks.

Scope

This policy applies to:

- All employees, including permanent, temporary, and supply staff.
- Volunteers, contractors, and visitors working within SPaCE.
- Pupils, in cases where their behaviour affects others or the learning environment.

Expected Standards of Conduct

SPaCE expects all individuals to:

- Treat each other with respect, dignity, and professionalism.
- Uphold SPaCE's values and adhere to the organization's policies and procedures.
- Follow instructions and responsibilities related to their roles and tasks.
- Act in a manner that promotes a safe, inclusive, and supportive environment for all.

Legislation and Legal Framework

This policy is consistent with the following key pieces of legislation:

- **Employment Rights Act 1996** – Protects employees' rights, including fair treatment in disciplinary matters.
- **Equality Act 2010** – Ensures that disciplinary processes are non-discriminatory and do not violate the rights of employees or other individuals based on protected characteristics (e.g., age, race, disability, gender).
- **Health and Safety at Work Act 1974** – Ensures that disciplinary policies support a safe work environment and address any behaviour that threatens the health and safety of others.



- **The Children Act 1989 & 2004** – Provides guidance on the safety and welfare of children, including how misconduct in relation to children should be dealt with.
- **Data Protection Act 2018 (GDPR)** – Ensures the confidentiality of personal information related to the disciplinary process.

Types of Misconduct

Misconduct may include, but is not limited to:

- **Minor Misconduct:** Repeated lateness, failure to follow minor procedures, inappropriate language or behaviour, or other behaviour that disrupts normal operations.
- **Serious Misconduct:** Insubordination, dishonesty, theft, harassment, bullying, discrimination, or significant failure to meet job performance expectations.
- **Gross Misconduct:** Criminal offenses, serious breaches of trust, violence, theft, substance abuse, or other serious behaviours that undermine the integrity of SPaCE.

Disciplinary Procedure

The disciplinary process is designed to ensure fairness and transparency. The procedure consists of several stages:

1. Informal Stage

In most cases, issues of minor misconduct should be addressed informally through:

- A private conversation between the individual and their line manager or supervisor.
- Clear expectations for improvement and a reasonable timeframe to address the concern.
- Offering support or additional training, if necessary.

2. Formal Stage

If the issue persists or the behaviour is of a more serious nature, the formal disciplinary process will be followed:

- **Investigation:**
 - The first step is to conduct a thorough investigation to determine the facts. This may include interviews with the individual, witnesses, and gathering any relevant evidence.
 - The individual will be informed of the nature of the complaint and will be given an opportunity to explain their side of the matter.
 - The investigation will be handled by a senior member of staff who is not directly involved in the case.
- **Disciplinary Hearing:**
 - If the investigation finds evidence of misconduct, a formal disciplinary hearing will be scheduled. The individual will be informed of the allegations and the evidence gathered against them.



- The individual has the right to be accompanied by a colleague or a union representative during the hearing.
- The hearing will be conducted by a panel, usually consisting of senior management or members of the governing body, who will consider all the facts and any mitigating circumstances.
- **Decision:**
 - Following the hearing, the panel will decide on an appropriate outcome, which may include:
 - Verbal warning.
 - Written warning.
 - Final written warning.
 - Dismissal (in the case of gross misconduct).
 - The individual will be informed of the decision in writing, with a clear explanation of the reason for the decision and any steps required to improve their conduct or performance.
 - If dismissal is the outcome, the individual has the right to appeal the decision.

3. Appeal Stage

If the individual is dissatisfied with the outcome of the disciplinary hearing, they have the right to appeal. The appeal should be made in writing within a specified timeframe (usually five working days) after receiving the decision.

- **Appeal Process:**
 - An appeal will be heard by a panel that has not been involved in the original decision.
 - The individual will have the opportunity to present new evidence or arguments.
 - A final decision will be made following the appeal hearing, and the individual will be informed in writing.

Possible Outcomes of the Disciplinary Process

The possible outcomes of the disciplinary process depend on the severity of the misconduct and the circumstances of the case:

- **Verbal Warning:** A reminder of the expected standards of behaviour, with an agreement to improve.
- **Written Warning:** A formal warning that the behaviour must improve, usually with a clear action plan and timeframe for improvement.
- **Final Written Warning:** A last warning before more serious action is taken.
- **Dismissal:** In the case of serious or gross misconduct, termination of employment or involvement with SPaCE may occur.



Support During the Process

SPaCE understands that a disciplinary process can be stressful, and as such, the individual involved is encouraged to seek support from their line manager, HR, or an external advisor. SPaCE will also ensure that appropriate support is available to the complainant (if applicable), ensuring a fair process for all parties involved.

Confidentiality

All parties involved in the disciplinary process must maintain confidentiality. This includes:

- Keeping details of the incident, investigation, and outcomes confidential.
- Only sharing information with individuals directly involved in the process or who have a legitimate need to know.

Monitoring and Review

SPaCE will regularly review the disciplinary process to ensure it remains fair, transparent, and consistent with legal requirements. Feedback from staff, managers, and other stakeholders will be sought to improve the process.

Conclusion

This policy is designed to support a positive working environment at SPaCE, where individuals are held accountable for their conduct in a fair and consistent manner. SPaCE values all staff and is committed to providing opportunities for improvement while ensuring the safety, well-being, and success of all individuals within the provision.

This policy adheres to relevant legislative frameworks and ensures that disciplinary matters are handled with fairness, consistency, and professionalism.

Issued 01/10/2024

Review 01/10/2025

Signed Dene Terry *DBTerry*

Signed Siobhan Bunce *Siobhan Bunce*