



## **Rawdah Montessori School Disciplinary Policy and Procedure**

**Version:** 1.1

**Reviewed:** October 2025

**Next Review Due:** October 2026

### **1. Introduction and Purpose**

Rawdah Montessori School is committed to maintaining a safe, supportive, and professional working environment. This policy sets out the standards of conduct expected of all staff and the framework for addressing situations where those standards are not met.

The purpose of this policy is to:

- Ensure fair and consistent treatment for all employees.
- Encourage and support improvement in conduct and performance.
- Protect the welfare of pupils by ensuring that all staff are suitable to work with children.
- Comply with the ACAS Code of Practice on Disciplinary and Grievance Procedures.

This policy applies to all employees, including teaching staff, support staff, and volunteers. It should be read in conjunction with the **Safeguarding and Child Protection Policy**, **Staff Code of Conduct**, and **Grievance Policy**.

**Safeguarding Statement:** The welfare of the child is paramount. Any concerns regarding a child's safety will be referred immediately to the Designated Safeguarding Lead (DSL) and may involve external agencies (LADO, Police, DBS) independently of any disciplinary process.

## 2. Principles of Fairness

Every effort will be made to ensure that any action taken under this procedure is fair and consistent. The following principles apply:

- **Investigation:** No disciplinary action will be taken before a full and fair investigation of the facts.
- **Notification:** You will be informed in writing of the allegations against you and given the opportunity to respond.
- **Right to be Accompanied:** You have the right to be accompanied by a fellow employee or a trade union representative at all formal stages of the disciplinary process.
- **Appeal:** You have the right to appeal against any disciplinary decision.
- **Confidentiality:** All disciplinary matters will be treated confidentially, and records will be kept securely in line with GDPR requirements.

### **3. Informal Action**

Where performance or conduct issues are minor or short-term, the school will first seek to resolve them informally through discussion with your line manager. This is not part of the formal disciplinary procedure, but you will be made aware of the concerns and given an opportunity to improve.

### **4. Formal Disciplinary Procedure**

If informal action does not resolve the issue, or if the matter is more serious, the formal procedure will be invoked. The table below outlines the stages of the procedure based on the nature of the offence.

#### **4.1 Categories of Offence**

Category	Definition	Examples (Illustrative, not exhaustive)
<b>Unsatisfactory Conduct</b>	Failure to meet the required standards of performance or behaviour, often related to capability or minor policy breaches.	Persistent lateness; minor breach of uniform policy; failure to follow administrative procedures; poor time management.
<b>Misconduct</b>	More serious breaches of conduct or policy that have a negative impact on the school, colleagues, or pupils.	Inappropriate language or behaviour towards a colleague; misuse of school property or ICT; breach of confidentiality (minor); unauthorised absence.

<b>Serious Misconduct</b>	A serious breach of conduct that may warrant a final written warning in the first instance.	Serious breach of health and safety rules; repeated misconduct after a warning; behaviour that damages the school's reputation (minor).
<b>Gross Misconduct</b>	An act so serious that it destroys the employment relationship and justifies dismissal without notice.	<b>See Section 5 for a full list.</b>

## 4.2 Disciplinary Stages

Stage	Offence Category	Action	Duration on File
<b>Stage 1</b>	Unsatisfactory Conduct	<b>Formal Verbal Warning</b>	3 months
<b>Stage 2</b>	Misconduct / Repeated Unsatisfactory Conduct	<b>First Written Warning</b>	6 months
<b>Stage 3</b>	Serious Misconduct / Repeated Misconduct	<b>Final Written Warning</b>	12 months
<b>Stage 4</b>	Gross Misconduct / Failure to Improve	<b>Dismissal or Other Action</b>	Permanent

**Note:** In cases of **Gross Misconduct**, the procedure may commence at Stage 4, leading to summary dismissal (dismissal without notice) if the allegations are proven.

## 5. Gross Misconduct

Gross misconduct is conduct so serious that it fundamentally breaches the contract of employment and destroys the trust and confidence between employer and employee. If an allegation of gross misconduct is upheld after investigation, the normal penalty is summary dismissal (dismissal without notice or payment in lieu of notice).

Examples of gross misconduct include, but are not limited to:

- **Safeguarding:** Any act or omission that places a child at risk of harm; failure to report a safeguarding concern; breach of intimate care procedures.
- **Theft or Fraud:** Theft of school property, fraud, or falsification of documents (including timesheets or expense claims).
- **Violence or Threats:** Physical violence, threatening behaviour, or assault against any person on school premises.
- **Discrimination and Harassment:** Serious acts of unlawful discrimination, harassment, or bullying related to protected characteristics.
- **Substance Misuse:** Being under the influence of alcohol or illegal drugs while on duty; possession or supply of illegal substances on school premises.
- **Serious Breach of Confidentiality:** Disclosing sensitive pupil, staff, or school information without authorisation.
- **Damage to Property:** Deliberate or reckless damage to school property or the property of others.
- **Bringing the School into Disrepute:** Serious behaviour online or offline that negatively impacts the school's reputation.
- **Serious Health and Safety Breach:** Deliberate or reckless action that endangers the health and safety of pupils, staff, or visitors.

This list is illustrative and not exhaustive. Any act that fundamentally undermines the employment relationship may be treated as gross misconduct.

## **6. Investigation and Suspension**

### **6.1 Investigation**

Before any formal disciplinary action is taken, a thorough investigation will be conducted by an appropriate manager who is not connected to the allegations. You will be informed of the allegations and given an opportunity to respond.

### **6.2 Suspension**

In some cases, it may be necessary to suspend you from work while the investigation takes place. Suspension is a **neutral act** to protect all parties and allow an uninterrupted investigation. It is not a disciplinary sanction.

- Suspension will be on full pay (contractual).
- You will be informed of the reasons for suspension in writing.
- Suspension will be kept as brief as reasonably practicable.

## 7. Disciplinary Hearing

If the investigation suggests that formal disciplinary action may be justified, you will be invited to a disciplinary hearing in writing, with at least **5 working days'** notice. The letter will include:

- The nature of the allegations.
- The possible outcome (e.g., warning, dismissal).
- Copies of any evidence to be considered.
- Confirmation of your right to be accompanied.

At the hearing, you will have the opportunity to:

- Respond to the allegations.
- Present your own evidence.
- Call witnesses (with prior notice).
- Ask questions.

The hearing will be conducted by a manager with appropriate authority (see Section 9).

## 8. Disciplinary Outcomes

Following the hearing, you will be informed of the decision in writing, usually within **5 working days**. The outcome may be:

Outcome	Description
<b>No Further Action</b>	Allegations not upheld.
<b>Formal Verbal Warning</b>	Issued for unsatisfactory conduct. Expires after 3 months.
<b>First Written Warning</b>	Issued for misconduct. Expires after 6 months.
<b>Final Written Warning</b>	Issued for serious misconduct or repeated offences. Expires after 12 months.
<b>Dismissal</b>	Summary dismissal (without notice) for gross misconduct; or dismissal with notice for failure to improve following warnings.
<b>Alternative Sanction</b>	Demotion, loss of seniority, or transfer to another role (with your consent) may be considered as an alternative to dismissal.

The outcome letter will explain:

- The reason for the decision.
- The penalty imposed.
- The period for which the warning will remain active.
- Your right to appeal.

## 9. Disciplinary Authority

The table below outlines who has the authority to conduct disciplinary hearings and issue sanctions.

Action	Investigating Officer	Hearing Officer	Appeal Officer
<b>Formal Verbal Warning</b>	Line Manager	Line Manager	Headteacher
<b>First Written Warning</b>	Line Manager / Headteacher	Headteacher	Proprietor / Governor
<b>Final Written Warning</b>	Headteacher	Headteacher	Proprietor / Governor
<b>Dismissal</b>	Headteacher / Proprietor	Proprietor / Governing Body	External Appeal Panel (if applicable)

**Note:** In cases involving the Headteacher, the Proprietor or Governing Body will take full responsibility for all stages of the procedure.

## 10. Right to Appeal

You have the right to appeal against any disciplinary decision. Appeals must be made in writing within **5 working days** of receiving the outcome letter, stating the grounds for appeal.

Grounds for appeal may include:

- New evidence that was not reasonably available at the time of the hearing.
- Procedural irregularity.
- The penalty was too severe.

The appeal will be heard by a manager or panel not previously involved in the case, usually within **10 working days**. The decision of the appeal is final.

## 11. Records and Confidentiality

All records relating to disciplinary matters will be:

- Kept securely and confidentially.
- Retained in accordance with GDPR and the school's data retention policy.
- Shared only on a need-to-know basis.
- Removed from active personnel files after the expiry of the warning period (subject to satisfactory conduct).

## 12. Monitoring and Review

This policy will be reviewed annually by the Headteacher and Governing Body, or sooner following a significant change in legislation or case law. It will be applied consistently and fairly to all staff regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, or sexual orientation.

### Review of Policy Dates

REVIEW DATE	REVIEWED BY	SIGNED OFF (Name & Role)
<b>Feb 2026</b>	Governing Body	<b>Chair:</b> Sohaib Tanvir
<b>Next Review Due:</b>		
<b>Feb 2027</b>	Governing Body	<b>Chair:</b>
	Headteacher	<b>Headteacher:</b>