

Al-Khair Secondary Schools

Staff Code of Conduct, Disciplinary & Grievance Procedures



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Gareth Thomas

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1. Aims, scope and principles

This policy aims to set and maintain standards of conduct that we expect all staff to follow.

By creating this policy, we aim to ensure our school is an environment where everyone is safe, happy and treated with respect.

The principles in this code of conduct are based on the [Teachers' Standards](#).

- All members of school staff act as role models for pupils by consistently demonstrating high standards of behaviour.
- All teachers will act in accordance with the personal and professional behaviours set out in the Teachers' Standards.
- All support staff, governors, and volunteers to also act with personal and professional integrity, respecting the safety and wellbeing of others.
- Insert a line about the ethos of the school and what it requires of staff. Faith schools may wish to elaborate more here.
- Failure to follow the code of conduct may result in disciplinary action being taken, as set out in our staff disciplinary procedures.

Please note that this code of conduct is not exhaustive. If situations arise that are not covered by this code, staff will use their professional judgement and act in the best interests of the school and its pupils.

Add specific behaviours or clarify the school's stance in situations that are relevant to your school's context.

2. Legislation and guidance

We are required to set out a staff code of conduct under regulation 7 of [The School Staffing \(England\) Regulations 2009](#).

In accordance with the statutory safeguarding guidance '[Keeping Children Safe in Education 2022](#)', we have a Staff Code of Conduct, which covers acceptable use of technologies, staff/pupil relationships and communications, including the use of social media. Staff will not use:

3. General obligations

Staff set an example to pupils. They will:

- Maintain high standards in their attendance and punctuality
- Never use inappropriate or offensive language in school
- Treat pupils and others with dignity and respect
- Show tolerance and respect for the rights of others

- Not undermine fundamental British values, including democracy, the rule of law, individual liberty and mutual respect, and tolerance of those with different faiths and beliefs
- Express personal beliefs in a way that will not overly influence pupils, and will not exploit pupils' vulnerability or might lead them to break the law
- Understand the statutory frameworks they must act within
- Adhere to the Teachers' Standards

4. Safeguarding

Staff have a duty to safeguard pupils from harm, and to report any concerns they have. This includes physical, emotional, and sexual abuse, or neglect.

Staff will familiarise themselves with our safeguarding policy and procedures and the Prevent initiative, and ensure they are aware of the processes to follow if they have concerns about a child.

Our safeguarding policy and procedures are available in the staff room and from the school office. New staff will also be given copies on arrival.

5. Staff/pupil relationships

Staff will observe proper boundaries with pupils that are appropriate to their professional position. They will act in a fair and transparent way that would not lead anyone to reasonably assume they are not doing so.

If staff members and pupils must spend time on a one-to-one basis, staff will ensure that:

- This takes place in a public place that others can access.
- Others can see into the room.
- A colleague or line manager knows this is taking place.
- Staff should avoid contact with pupils outside of school hours if possible.
- Personal contact details should not be exchanged between staff and pupils. This includes social media profiles.

While we are aware many pupils and their parents may wish to give gifts to staff, for example, at the end of the school year, gifts from staff to pupils are not acceptable.

If a staff member is concerned at any point that an interaction between themselves and a pupil may be misinterpreted, this should be reported to their line manager or the headteacher.

6. Communication and social media

School staff's social media profiles should not be available to pupils. If they have a personal profile on social media sites, they should not use their full name, as pupils may be able to find them. Staff should consider using a first and middle name instead and set public profiles to private.

Staff should not attempt to contact pupils or their parents via social media, or any other means outside school, to develop any sort of relationship. They will not make any efforts to find pupils' or parents' social media profiles.

Staff will ensure that they do not post any images online that identify children who are pupils at the school without their consent.

Staff should be aware of the school's e-safety protocol, found in our child protection policy.

7. Acceptable use of technology

- Technology in school to view material that is illegal, inappropriate or likely to be deemed offensive. This includes, but is not limited to, sending obscene emails, gambling and viewing pornography or other inappropriate content.
- Personal mobile phones and laptops, or school equipment for personal use, in school hours or in front of pupils.
- Personal mobile phones or cameras to take pictures of pupils.

We have the right to monitor emails and internet use on the school IT system.

8. Confidentiality

Members of staff are often privy to sensitive and confidential information about the school, staff, pupils and their parents.

This information **will never be**:

- Disclosed to anyone without the relevant authority.
- Used to humiliate, embarrass, or blackmail others.
- Used for a purpose other than what it was collected and intended for

This does not overrule staff's duty to report child protection concerns to the appropriate channel where staff believe a child is at risk of harm.

9. Honesty and Integrity

Staff should:

- Maintain high standards of honesty and integrity when dealing with pupils, handling money, claiming expenses, using school property and facilities.
- Not accept bribes. Gifts over £25 must be declared and recorded on the gifts and hospitality register.
- Ensure that all information given to the school about their qualifications and professional experience is correct.

10. Dress code

- Staff will dress in a professional, appropriate manner.
- Outfits will not be overly revealing.
- Tattoos are covered up.
- Clothes will not display any offensive or political slogans.

11. Conduct outside of work

Staff will not act in a way that would bring the school, or the teaching profession into disrepute such as:

- Relevant criminal offences, such as violence or sexual misconduct,
- Negative or inappropriate comments about the school
- Misuse or inappropriate use of social media.

12. Monitoring arrangements

This policy will be reviewed every 2 years but can be revised as needed. It will be ratified by the full governing board.

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

These disciplinary procedures are based on the [Disciplinary and grievance code of practice from ACAS](#).

3. Definitions

- A **disciplinary issue** will arise when a staff member has not behaved to the expected standard
- Appendix 1 sets out a non-exhaustive list of examples of what we define as **misconduct and gross misconduct**.
- For this policy, misconduct does not cover staff capability or poor performance issues. These are addressed in our capability of staff policy

4. Disciplinary procedures

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 brief meeting with the employee to set out the concerns.
- Remind the employee of the expected standard of behaviour and consider what support is needed to help them improve.
- Record / minute the meeting and any agreed actions or next steps.

Formal procedures will begin if the matter is unresolved.

The employee will be notified of this in a face-to-face meeting with the Headteacher.

This will be confirmed in writing.

4.1 Suspension

It may be appropriate to suspend a member of staff from duty temporarily, for example, where there is suspected gross misconduct.

This will be a **neutral act**. It does not amount to guilt or constitute disciplinary action.

Where this is necessary:

- The Headteacher must authorise the suspension. If it is the headteacher who is the subject of the disciplinary procedure, the governors must authorise the suspension.
- The staff member will be informed of the suspension in a face-to-face meeting, followed by a notification in writing within [5] working days.
- The employee will be permitted to be accompanied to the meeting by either a colleague or trade union representative.
- The staff member will be suspended on full pay.

4.2 Investigation

An **independent investigating officer** will be appointed.

The investigating officer will gather the facts of the case and evidence before a disciplinary hearing can take place.

The investigating officer will, if necessary, hold investigatory meetings.

The employee will be informed of the outcome of the investigation in writing.

If the investigating officer determines that the matter should move forward to a formal disciplinary hearing a disciplinary officer will be appointed. This will be a person independent from the investigating officer.

4.3 Notification

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

- Details of the alleged misconduct and its possible consequences
- Copies of any written evidence, including witness statements
- The time, date, and location of the disciplinary meeting
- A statement that the employee has the right to be accompanied by a colleague or a trade union representative.
- Notification that the employer intends to call witnesses (if relevant)

If the employee intends to call a witness, they should notify the employer.

The Line Manager will conduct the hearing.

4. Disciplinary hearing

Before the hearing, the employee will receive a copy of all evidence that will be relied upon during the procedure.

At the hearing,

The person conducting the hearing will.

- Explain the case against the employee.
- Present the evidence that has been gathered.
- May choose to have the investigating officer present the management's case.

The employee will:

- Set out their case and answer any allegations that have been made.
- Be given reasonable opportunity to ask questions, present evidence, call relevant witnesses and raise points about any information provided by witnesses.

Employees have a statutory right to be accompanied:

- At a meeting that may result in a formal warning being issued, disciplinary action being taken, or the confirmation of either of these.
- By a colleague or a trade union representative.

Employees must make the request in advance of the meeting, to allow the school to prepare and to ensure the employer 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 a time proposed by the employee if the alternative time is reasonable and not more than 5 working days after the original date.

The companion:

- Can address the hearing to present and summarise the employee's case,
- Respond on behalf of the employee to any views expressed at the hearing and confer with the employee during the hearing.
- Does **not** have the right to answer questions on the employee's behalf, address the hearing if the employee does not wish it or prevent the employer from explaining their case.

4.5 Taking appropriate action.

The hearing will be adjourned and a decision about whether further disciplinary action is necessary will be taken.

The employee will be informed of the decision in writing within 5 working days.

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 staff members' behaviour, such as a training course or occupational health support.
- **A first written warning** for a first instance of misconduct. A further instance may result in a final written warning. A first written warning will remain on the employee's personnel file for 6 months. The written warning will explain that a further instance of misconduct or no change in behaviour within a given timeframe will result in a final warning.
- **A final written warning** where the employee has already received a first warning, or where the employee's misconduct was sufficiently serious. A further instance may result in demotion or dismissal.
- **Dismissal** where there has been gross misconduct, or a final written warning has already been given.

Al Khair will refer a case of teacher gross misconduct to the National College for Teaching and Leadership (National College) if the case is so severe that the National College should consider whether the teacher should be prevented from teaching.

We will also refer cases to other relevant authorities where appropriate.

4.6 Dismissal

The power to decide that members of staff should no longer work at this school has been delegated to the Head teacher. The Head teacher will dismiss the staff member with notice once a decision has been reached..

4.7 Appeals process

The employee has the right to appeal any sanction.

- Appeals must be made in writing within [5] working days of the decision, setting out at the same time the grounds for appeal.
- A disciplinary appeals officer/panel will be appointed.
- Appeals will be heard without unreasonable delay and at an agreed time and place.
- Employees' statutory right to be accompanied by a companion will apply as with formal disciplinary hearings.
- A record will be retained and a copy sent to the employee.
- The appeal will be dealt with impartially and by Senior Leaders or Governors who have not previously been involved in the case.
- The employee will be informed in writing of the results of the appeal hearing within 15 working days.

4.8 Special cases

If the employee involved in a disciplinary procedure is also the trade union representative, we will notify the relevant 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 per the policy.

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 procedures raises a grievance about something unrelated to the disciplinary, consideration will be given to pausing the disciplinary while the grievance is addressed.

5. 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 for as long as necessary in line with the Data Protection Act 1998.

If disciplinary action is taken, a record of this will be added to the employee's personnel file.

We will disclose any proven disciplinary offences by a staff member if a reference is requested by a future employer.

6. Monitoring arrangements

This policy will be reviewed every year but can be revised as needed.

Appendix 1: instances and behaviours classed as Misconduct.

The following lists are not exhaustive.

Instances of **misconduct** include:

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

Instances of **gross misconduct** include:

- Physical violence or assault
- Discrimination, harassment, victimisation and/or bullying of pupils, colleagues or visitors
- Theft
- Sexual offences or misconduct
- Inappropriate relationships with pupils or any other actions that would be classed as a serious safeguarding issue
- Serious breaches of confidentiality
- Deliberately acting in a way that will cause damage to the school's reputation
- Deliberately damaging school property

Teacher Misconduct Guidance from the National College explains that, among other things, the following offences will be serious enough to warrant prohibition of teaching:

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

Staff Grievance

1. Aims

This policy aims to enable employees to raise concerns about workplace issues without fear of victimisation and repercussion, and to ensure all grievances are dealt with fairly and objectively.

2. Legislation and guidance

These grievance procedures are based on the **disciplinary and grievance code of practice from Acas.**

3. Definitions

- A **grievance** is a concern, problem or complaint raised with the school by an employee.
- It can be caused by issues such as working conditions, health and safety concerns, bullying or discrimination or work relations.

This policy does not cover issues raised by people who are not employed by the school, as this would fall under our complaints procedure.

4. Grievance procedures

We are committed to dealing with grievances fairly and objectively. Employees will be protected from discrimination or victimisation after raising a work-related grievance.

4.1 Informal Stage

In the first instance, we aim to resolve an employee's grievance informally with their line manager.

If the member of staff's concerns relates to their line manager, they should discuss the issue with the Headteacher.

It may be necessary for the member of staff who has raised a grievance to attend a meeting to discuss the concerns in more detail. This will be determined on a case-by case basis.

4.2 Formal Stage

If it is not possible to resolve the matter informally, employees should set out their grievance in writing to their line manager.

If the subject of the grievance is the line manager, the employee should submit the written grievance to an alternative, Senior Leader / Headteacher.

An independent Investigating Officer with no prior knowledge of the complaint, will be appointed on submission of the grievance.

A grievance panel will also be appointed. The panel is separate from the investigating officer. It will be chaired by an independent individual, with no prior knowledge of the complaint.

The investigating officer will undertake a grievance investigation and will make a recommendation.

A formal meeting will be arranged within 10 working days after the grievance has been raised.

At the meeting, the employee will be given the opportunity to explain their grievance and how they think it should be resolved.

The panel will consist of the Headteacher or another Senior Member of staff.

Employees have a statutory right to be accompanied by a companion at a grievance meeting. The companion must be a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

4.3 Deciding on appropriate action.

The meeting will be adjourned, and the grievance panel will reflect on it before coming to a decision.

This decision will be communicated to the employee in writing within 10 working days.

It will set out the action that will be taken to resolve the grievance. It will also inform the employee that they can appeal if they are not satisfied with the outcome and explain how to do this.

4.4 Appeals

The employee has the right to appeal the decision If not satisfied with the outcome of the grievance investigation.

The employee should set out their grounds of appeal in writing as soon as possible and submit this to the Head teacher.

An Independent Grievance Appeal Panel will be appointed. Members will not have any previous stage of the grievance procedure.

Appeals will be heard without unreasonable delay.

Employees will be told the time and place of the appeal meeting in advance.

Employees have the same statutory right to be accompanied to the appeal meeting by a work colleague, trade union official, or trade union representative who has been certified as being competent to attend such meetings.

The outcome of the appeal will be confirmed in writing to the employee within 10 working days.

5. Record keeping

Minutes will be kept for all meetings.

These will be confirmed as an accurate reflection of what was discussed during the meeting, agreed actions and next steps..

Records of all materials relating to the grievance process will be kept securely for as long as necessary in line with the Data Protection Act 1998.

6. Monitoring arrangements

This policy will be reviewed every 2 years but can be revised as needed. It will be reviewed by the Headteacher when requiring legislative updates.

7. Links with other policies

This policy links with our policies on:

- Complaints procedure, which sets out how grievances will be raised by those not employed by the school.
- Equality
- Safeguarding