



Staff Disciplinary Policy

Policy no:	4.15
Version date	August 2025
Approved by	Senior Management Team
Policy group	Human Resources
Version number	V1
Next review due	August 2025
External reference points	<p>The EHRC (Equality and Human Rights Commission) have produced technical guidance in this area:</p> <p>Sexual Harassment and harassment at work: technical guidance 2024: https://www.equalityhumanrights.com/guidance/sexual-harassment-and-harassment-work-technical-guidance-responding-to-harassment</p> <p>Office for Students E6 condition on sexual harassment and sexual misconduct.</p>

Version Control			
Previous Version	New Version	Date	Update/Notes
V1			

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1. Purpose

Trent Education Centre (TEC) requires all employees to follow a professional code of conduct that supports the organisation's values, protects its reputation, and promotes the wellbeing of staff, students, and other stakeholders. This policy outlines the expected standards of behaviour and performance for all staff, along with procedures aimed at ensuring fairness, equality, equity, and transparency in how staff are treated as part of the TEC community. TEC's preferred approach is to offer guidance and assistance to staff who may breach this disciplinary policy, allowing them the opportunity to improve their conduct when it falls below expectations. Our focus is on helping staff grow through training and support rather than imposing penalties. However, if a staff member repeatedly violates this policy or commits a serious offence, particularly one that is unlawful or constitutes gross misconduct, they may be subject to immediate suspension or dismissal without prior warning.

2. Scope

It is the responsibility of each staff member to understand and comply with the rules and procedures outlined in this policy. Any breaches may lead to disciplinary action in line with the Staff Disciplinary Procedure. Staff with questions or concerns should speak with a senior manager for clarification. TEC may revise these rules when necessary, and any updates will be communicated to staff accordingly. It is not feasible to list every possible disciplinary rule or offence, as these may vary depending on the nature of the role. In addition to the general and gross misconduct guidelines provided in this policy, breaches of any specific conditions, procedures, or rules, whether included in this policy or communicated separately, will be addressed using the Staff Disciplinary Procedures described below.

3. General Staff Code of Behaviour

3.1. General Behaviour

- Staff must act in ways that support TEC's interests and avoid any behaviour that could harm its public image or relationships with external parties.
- Personal use of phones, email, or social media during working hours should be limited and only allowed in emergencies or for important family matters, provided it does not interfere with work or disrupt colleagues.
- TEC equipment and resources should only be used for work-related purposes unless permission is granted, in writing, by a line manager or senior staff member.
- Staff are expected to maintain good personal hygiene and dress appropriately at all times. Refer to the Staff Induction Pack and Staff Handbook for TEC's dress code.
- Any incidents involving damage to TEC property or belongings of staff, students, visitors, or stakeholders must be reported immediately to a line manager or senior staff.
- Staff must not bring guests or visitors onto TEC premises without prior approval from a line manager or senior staff member.

3.2. Behaviour to Others

- Staff should always be courteous and respectful in their interactions with others.
- No informal comments or opinions about current or former employees should be shared with third parties under any circumstances.

3.3. Work Responsibilities

- Staff are expected to carry out the duties outlined in their Job Description and Employment Contract to the best of their ability. If certain tasks cannot be completed due to valid reasons, this will be taken into consideration.
- A high level of work quality and attention to detail is expected, along with a responsible attitude toward job duties.
- Staff must maintain reliable attendance and punctuality in accordance with their job description and contract.
- Staff should be willing to take on additional tasks beyond their core responsibilities within reason to enhance their overall effectiveness to the achievement of TEC's organisational objectives.

3.4. Policy Compliance

- Staff must read and follow all relevant TEC policies and documents and make every effort to comply with them.
- TEC enforces a strict no-smoking policy: smoking is not allowed anywhere on the premises at any time.
- TEC's affiliations policy must be followed: flags, emblems, posters, or graffiti may not be displayed or distributed without written approval from a line manager or senior staff.
- No TEC equipment or resources may be removed from the premises without prior written approval.

4. Actions of Gross Misconduct

The following examples illustrate types of gross misconduct that may lead to immediate suspension or dismissal without notice or prior warnings. While this list is not exhaustive, any behaviour or negligence that results in a serious breach of contract and damages TEC or places any of its community at risk, will be considered gross misconduct. Examples typically include:

- Engaging in physical violence, assault, or hazardous behaviour.
- Serious incidents of offensive, aggressive, threatening, or intimidating conduct, including excessive use of inappropriate language.
- Theft or misuse of TEC property or belongings of other staff members.
- Committing or participating in fraudulent activities. Refer to TEC's **Anti-Fraud Policy**.
- Consuming alcohol or illegal substances or being under their influence while at work.
- Possessing or distributing illegal drugs, whether on TEC premises or elsewhere.
- Violating safety regulations or engaging in actions that pose serious risks to health and safety.
- Engaging in unlawful discrimination, harassment, or bullying. See TEC's **Anti-Bullying and Harassment Policy**.
- Any form of sexual misconduct or sexual harassment. Refer to TEC's **Sexual Harassment Policy** for more information
- Intentionally violating TEC policies.
- Causing deliberate damage to property.
- Recording workplace meetings without authorisation, including disciplinary meetings.
- Refusing or deliberately failing to follow lawful instructions issued by management during working hours.
- Failing to carry out essential duties as outlined in the staff member's job description, within reasonable expectations set by their line manager or senior staff.

5. Overview of Staff Disciplinary Procedures

All employees are subject to these disciplinary procedures if they are found to have, or are suspected of having, breached TEC's staff code of conduct in any way. Senior leadership at TEC reserves the right to apply these procedures at its own discretion depending upon the context and the severity of the breach, and any potential impact on TEC's reputation, safety, or the wellbeing of its community. Where appropriate, TEC may choose to address issues informally through a verbal warning to resolve concerns related to behaviour, performance, or other matters. Before deciding on formal disciplinary actions such as written warnings, suspension, or dismissal, TEC will take steps to ensure that all the facts have been considered fairly.

At any point during the disciplinary process, a staff member may be suspended with full pay while an investigation is conducted, depending on the seriousness of the allegations. Suspension in such cases is a precautionary measure and does not imply that the allegations are proven. TEC will periodically review the suspension, and it may be lifted following such a review. If a staff member is unable to attend work or fulfil their duties due to conditions imposed by police bail, a court order, or instructions from a regulatory authority, the time away from work will be unpaid.

Should TEC decide to take formal disciplinary action beyond a verbal warning, the staff member will receive a written notice detailing the behaviour that led to the disciplinary measure, the type of sanction applied, any corrective steps required, and the timeframe for completing those steps. This written notice will only be issued after a formal disciplinary hearing, during which the staff member will have the opportunity to present their case and may be accompanied by a colleague, family member, or friend. Attendance at the hearing is strongly encouraged. Throughout the disciplinary process, staff will be given the chance to respond to any allegations before a decision is made regarding a warning or dismissal. They will also have the right to appeal against any outcome of a disciplinary hearing.

Recording any meetings related to the disciplinary process, either audio or video, is strictly prohibited unless written consent is obtained from a line manager or senior staff member. Making unauthorised recordings may lead to separate disciplinary action, which could include suspension or dismissal for gross misconduct.

6. Stages of Staff Disciplinary Procedures

Depending on the situation, TEC may initiate the disciplinary process at any of the following stages:

6.1. Verbal warning

A verbal warning will be recorded and placed on the staff member's personnel file for 3 months after which it will be discarded. No further action will be taken unless the staff member fails to respond appropriately with affective remedies, at which point there may be escalation to a written warning, final written warning, suspension or dismissal depending on the severity of the breach in discipline.

6.2. Hearing

Staff who face allegations (the accused) which may lead to a written warning, suspension or dismissal, will be invited to attend a hearing. The hearing will consist of the following members:

Staff Disciplinary Hearing Panel (SDHP)

- The Head of Operations or Head of Compliance whoever is not the line manager of the accused (Chair)
- The Line Manager of the accused
- The accused
- One person, selected by the accused to provide support, this may be a colleague, friend or family member
- The HR Manager

During the hearing, the panel will discuss the allegation(s), listen to the responses from the accused, consider any witness statements or other evidence before reaching a decision. If the accused fails to attend the hearing, the hearing will go ahead without them

The SDHP will reach one of the following decisions

- No action will be taken
- A verbal warning will be issued
- A written warning will be issued
- The accused will be suspended
- The accused will be dismissed

6.3. Written warning

Following the hearing, a written warning may be issued and a copy placed on a staff member's personnel file for 6 months after which it will be disregarded. The written warning will include the following information sent by email by the Chair of the SDHP or the HR Manager. The Chair or HR Manager must present evidence and get approval from a senior staff member (a member of the Senior Management Team) before emailing a written warning.

Written Warning Statement

Written Warning	
Section	Details
Name of staff receiving the written warning.	
Name of staff giving the warning.	
Date of warning.	
Date or any previous warning(s)	
Reason for giving the warning (What happened or has been happening that requires a warning).	
Any specific dates relevant to the behaviour	
Any evidence e.g. statements by witnesses, emails or other evidence for poor conduct.	
Any remedial action required.	
Deadline for any remedial action to be completed and reviewed.	

No further action will be taken unless the staff member fails to respond appropriately with affective remedies at which point there may be escalation to a final written warning, a suspension or dismissal depending upon the severity of the breach in discipline.

6.4. Final written warning

Following the hearing, a final written warning may be issued and a copy placed on the staff members personnel file for 12 months after which it will be disregarded. The written warning will include the following information sent by email by the Chair of the SDHP or the HR Manager. The Chair or HR Manager must present evidence and get approval from a senior staff member (a member of the Senior Management Team) before emailing a written warning.

Final Written Warning	
Section	Details
Name of staff receiving the written warning.	
Name of staff giving the warning.	
Date of warning.	
Date of any previous warning(s).	
Reason for giving the final warning (What happened or has been happening that requires a final warning).	
Any specific dates relevant to the behaviour.	
Any evidence e.g. statements by witnesses, emails or other evidence for poor conduct.	
Any remedial action required.	
Deadline for any remedial action to be completed and reviewed.	

No further action will be taken unless the staff member fails to respond appropriately with affective remedies at which point there may be escalation a suspension or dismissal depending upon the severity of the breach in discipline.

6.5. Suspension

A suspension may be issued with or without notice, depending on the circumstances and the severity of the breach in discipline, and may occur without a hearing, whether or not warnings have been issued. The staff member will receive the following information sent by email by email by the Chair of the SDHP or the HR Manager. The Chair of the SDHP or HR Manager must present evidence and get approval from a senior staff member (a member of the Senior Management Team) before emailing a suspension notice.

The following will be emailed for a suspension.

Suspension Notice	
Section	Details
Name of staff suspended.	
Name of staff informing them about the suspension.	
Name of a second staff member approving the suspension. This must be a member of the Senior Management Team.	
Date of suspension.	
Recommended length of suspension.	
Reason for the suspension.	
Any specific dates relevant to the behaviour.	
Any evidence e.g. statements by witnesses, emails or other evidence for poor conduct.	
Date when suspension will end.	
Any remedial action required after suspension is lifted.	
Deadline for any remedial action to be completed and reviewed.	

6.6. Dismissal

A dismissal may be issued with or without notice, depending on the circumstances and the severity of the breach in discipline, and may occur with or without hearing and whether or not warnings have been issued. The staff member will receive the following information sent by email by the Chair of the SDHP or the HR Manager. The Chair of the SDHP or HR Manager must present evidence and get approval from a senior staff member (a member of the Senior Management Team) before emailing a dismissal notice.

The following will be emailed for a suspension.

Dismissal Notice	
Section	Details
Name of staff dismissed.	
Name of staff informing them about the dismissal.	
Name of a second staff member approving the dismissal. This must be a member of the Senior Management Team.	
Date of dismissal.	
Reason for the dismissal.	
Any specific dates relevant to the behaviour.	
Any evidence e.g. statements by witnesses, emails or other evidence for poor conduct.	

6.7. Appeal

A staff member will be entitled to appeal against any disciplinary decision taken including for a dismissal and they must follow the appeals procedure set out below.

Staff may appeal to the HR Manager about any disciplinary decision that has been taken including a verbal or written warning, suspension or dismissal. Staff must complete and send the following table by email to the HR Manager if they wish to make an appeal.

Appeal against a Staff Disciplinary Decision	
Section	Details
Name of staff making the appeal.	
What is the appeal against.	
Date of the disciplinary decision.	
Date of the appeal (must be within 14 days of the decision).	
Reason for the appeal.	
Any evidence e.g. statements by witnesses, emails or other evidence.	

The appeal will go to the Staff Discipline Appeals Panel (SDAP) which includes the following members:

- Managing Director (Chair)
- Executive Principal

The SDAP will review the case and all the evidence. They will call the appellant to a meeting to present their case and reach a decision as follows:

- The appeal will be upheld and any sanctions overturned
- The allegation will be upheld but the severity of the sanction reduced for example from a suspension to a written warning
- The allegation and the severity of the sanction will be upheld.

The Chair of the SDAP or Executive Principal will send an email to the appellant with the decision.

The decision of the SDAP is final.