



Disciplinary Policy

Scope of policy: All learners and staff

Approved by: February 2026

Review Date: February 2027

The purpose of the Disciplinary Procedure is to help us ensure that the highest possible standards are maintained in the organisation. We hope to encourage and support commitment, integrity and achievement amongst our employees but recognise that there may be lapses in the standards expected. This Policy sets out our expectations and illustrates what procedure we will follow in the event that we believe an employee is acting below the required standards.

If it is appropriate under all the circumstances of the case, we may try to resolve issues informally in the hope that with the right amount of support these issues can be resolved without the need to take matters any further. Guidance will be provided by us on where we expect to see improvement and what steps may be made to achieve that improvement and within a specified timescale. If the improvements that we have requested are not achieved and we remain of the opinion that these issues have not been resolved satisfactorily, then we will follow more formal procedures. However, if the issues are considered to be too serious and/or require deeper investigation then we will move straight to the formal procedures outlined below.

The following offences are examples of misconduct that will be governed by this Policy:

- bad timekeeping
- lack of flexibility
- unreasonable unexplained absence
- failure to do your job or to follow lawful instructions
- persistent or regular absenteeism
- minor damage to our property or property in our possession, custody or control
- minor breach of our rules
- failure to observe our procedures
- abusive behaviour
- failure to disclose to us matters as required in our Whistleblowing Policy
- breach of contract
- social media misuse

The following offences are examples of gross misconduct:

- theft, fraud, dishonesty
- breach of our Equality, Diversity and Inclusion Policy
- unauthorised possession of our documents or property
- unauthorised use of our facilities and tools
- any conduct tending to bring the organisation, or the employee into disrepute or which results in the loss of a client or business opportunity
- serious damage to our property or client's property or property in our possession, custody or control
- falsification of performance figures or information
- falsification (whether by inclusion or omission of information) of application forms or references, of business documents, reports, accounts, time sheets, expense claims or self-certification forms etc
- leaving our premises without permission or good reason
- rudeness or abuse to customers or suppliers
- bullying or harassment

- refusal to carry out duties or reasonable instructions
- intoxication by reason of drink or drugs
- possession of or being under the influence of illegal drugs
- serious breach of our rules
- physical violence
- dangerous or intimidatory conduct
- acts of violence, including physical assault
- gross insubordination
- breach of our Health and Safety Policy and regulations including conduct of any kind that endangers the health and safety of others
- smoking in our premises
- negligence causing serious and avoidable loss, damage or injury
- indecent or immoral behaviour including accessing, downloading and/or distributing offensive or internet or any other type of pornographic material
- unauthorised use or deliberate disclosure of any private or confidential information without permission and in breach of obligations of data protection and confidence
- working for or assisting a competitor of the organisation or seeking to establish a business which is likely to compete with the organisation or divulging confidential information concerning the organisation and its business

The lists are not exhaustive but are intended to provide you with illustrations of the type of behaviour that is unacceptable.

Acts of gross misconduct may result in us dismissing you without notice or pay in lieu of notice.

Principles of fairness and the formal procedure

We will always endeavour to deal with issues as fairly and reasonably as possible.

When the issues are dealt with under the formal procedure in each case:

- There will be proper investigation
- You will be notified in writing of the issue(s) in question
- You will be given the opportunity to provide your perspective at a face to face meeting
- You have the right to be accompanied by a work colleague or trade union official at any formal meeting
- You will be made aware of your right to appeal against our decision

Formal disciplinary outcomes

The formal procedures will be used when we are considering possible disciplinary sanctions or dismissal. The appropriate disciplinary sanction will depend upon the seriousness of the act of misconduct and the individual circumstances of the case and we will endeavour to be consistent in our decision making.

Potential disciplinary sanctions will include the following:

First Written Warning

This will remain in force and monitored for 12 months after its issue and will inform you of the change required if the matter is not to be taken further by way of a final written warning.

Final Written Warning

If you do not show a marked improvement before the end of the 12 months, we will issue you with a final written warning. Alternatively, the offence may be serious enough to justify going straight to a final written warning. This will remain in force and monitored normally for 12 months after its issue and we will inform you of the change required and that if the required improvement does not happen, the formal disciplinary process may lead to your dismissal.

Change in Terms and Conditions of Employment

This may involve a demotion or reduction in pay or change of job title or description.

Dismissal with Notice

Following the three-stage formal disciplinary and dismissal procedure set out below.

Dismissal without Notice

No employee will be dismissed without the process above first being followed **unless** the complaint raised by the employer relates to an act of gross misconduct in which case there may be a dismissal without notice or payment in lieu of notice. For examples of what may be considered as acts of gross misconduct see above.

We will keep a record of warnings even after they have passed the 12 months period.

Formal Disciplinary and Dismissal Procedure

Pre-disciplinary Suspension

We may suspend you on full pay during the period of any investigation.

The suspension will be a neutral act and will not be any form of disciplinary action. It will enable a full investigation to be carried out and witnesses interviewed.

During any period of suspension, you must stay away from our premises and any premises at which we operate including the premises of our suppliers, clients or agents. You should not discuss the background to the disciplinary proceedings or the proceedings themselves with any colleague or potential witness. Your duties of confidentiality and all other duties remain throughout the period of suspension.

Stage 1

Your Line Manager will write a letter to you setting out why it has been decided to invite you to a disciplinary hearing and if the potential disciplinary sanctions could include dismissal then the letter will inform you of this. The letter will invite you to a meeting providing at least 24 hours' notice and will name the person who will chair the meeting and any note taker that will also attend. You will also be informed about your right to be accompanied by either a trade union official or a work colleague.

Stage 2

The person who chairs the meeting will state the organisation's case, let you respond and listen to your response. After the meeting, the same person may undertake further investigation if appropriate and invite you to a further meeting if appropriate. You will again have the right to be accompanied by a work colleague or trade union official. If no further investigation is required, the Chair will give you a decision in writing within five working days of the meeting. However, if the matter requires further investigation we reserve the right to take longer to provide you with our decision. The decision letter will provide you with the opportunity to appeal in the event that you do not agree with the decision.

Stage 3 – Appeal

If you do not agree with the disciplinary decision, you have the right to appeal against the decision. The fact that you wish to appeal and the reasons for the appeal must be provided to

the person who was Chair of the stage 2 meeting (or other specified person) in writing within 5 working days of receipt of the decision. A person who was not involved in disciplinary proceedings to date (where possible) will arrange a meeting with you within five working days of receipt of your written appeal and will be the Chair of the appeal meeting at which you are entitled to be accompanied by a work colleague or trade union official.

The Appeal Chair will notify you of their decision within five working days of the appeal meeting unless further investigation is required, in which case as soon as practicable.

At this stage, the Appeal Chair's decision will be final and that will bring the internal disciplinary process to an end.