

Conduct Improvement (Disciplinary) Policy

Contents (click on the section you want to read)

What is this policy about?	1
Who does it apply to?	2
What do I need to know or do?	2
Informal discussions – usually through normal one to ones.....	2
Formal conduct meetings	3
Serious and gross misconduct	5
Appeal	7
Record keeping	8
Suspension or alternative working arrangements.....	9
Support available	9
Where can I find more information?.....	9

What is this policy about?

People are at the heart of Supporting Education Group. It's our aim to create an environment and employee experience, which inspires and encourages our people to do their best work. We spend a significant portion of our lives at work, and we believe it's really important to make this as enjoyable as possible.

We know that a culture of openness, where you're given the chance to deliver, receive feedback, learn and grow is important. Improvement is at the heart of this policy, we believe this can often be achieved informally through working effectively together with honest and open conversations. However, if there's no improvement or it's a serious matter then we'll need to manage it in a more formal way (disciplinary). If this is the case, we'll do so in a fair way giving you the opportunity to tell your side of the story.

This policy is non contractual and may be changed in the future.

Who does it apply to?

This policy applies to any employees within our group of companies. Individual managers are responsible for ensuring that this policy is applied within their own area.

What do I need to know or do?

We need to manage any concerns if someone fails to behave in a way we expect, does something they shouldn't do or even doesn't do something they should do! Our aim is to resolve concerns informally by giving you the chance to improve first. If there's no improvement or it's more serious then we'll go straight to the formal stage of this policy, which can lead to a disciplinary meeting which may result in disciplinary action being taken. If a disciplinary warning is given, you'll be given a further chance to improve. If concerns are raised and you do nothing about making improvements, then you could be involved in further disciplinary action.

Informal discussions – usually through normal one to ones

Your manager should talk to you about any concerns they have about your conduct levels, usually in your regular one-to-one meetings. Your discussion should be documented where your record notes of your one-to-one meetings on SEG People however, other forms of recorded documentation may also be used, such as email. The next steps will depend on the situation:

- If your manager highlights an issue and you take the necessary steps to improve, then your manager will continue to monitor your conduct informally.
- If you share that personal well-being is affecting your conduct, your manager should discuss your concerns and consider appropriate support. However, this does not mean conduct improvement discussions will stop, your manager will take a holistic approach.
- If your conduct doesn't improve after your manager raises concerns and gives you reasonable time and support to improve, they will continue conduct improvement discussions with you in line with this policy.

Formal conduct meetings

Fact finding

The first step is to establish the facts of the situation, this will be done by your manager or potentially another manager. They will gather evidence from records and systems and where necessary will speak with you or anyone else involved.

The fact-finding exercise will be carried out as quickly as possible. The fact-finding manager should let you know how long they think it will take them to do this and reach an outcome.

They may decide to take no further action, that it should be dealt with informally (which will likely include improvements) or that there's sufficient evidence to justify taking the matter further.

If the fact-finding manager decides to take this matter further, you'll receive a letter asking you to attend a disciplinary meeting, this will be run by a different manager.

Before the disciplinary meeting

We'll always give a minimum of two days' notice of the meeting. The meeting will take place without unreasonable delay. You can have a companion with you (a colleague/Trade Union rep – see our companion guidance for more information), and you need to make every effort to be there.

If there's a reasonable explanation why you or your companion cannot attend the meeting, you need to let the manager running it know as soon as possible. If this is the case the meeting will be reorganised, usually within five days of the original date. If you fail to attend without explanation or if it appears you've not made sufficient attempts to attend, the disciplinary meeting may take place and decisions made in your absence.

Where it's not possible to hold a face-to-face meeting, we'll run the meeting remotely and ensure that all those participating have access to the necessary technology.

The disciplinary meeting letter will tell you what the allegations are, you'll also receive a pack of any supporting evidence that will be looked at, this will usually be sent to you electronically.

The disciplinary meeting

The aim of the meeting is to give the disciplinary manager the full picture so they can make a decision. You'll have the opportunity to state your case, explain any mitigation and to question the evidence gathered. This will normally be done from written evidence.

You can ask to question a witness at the meeting, and you'll need to give at least 24 hours' notice if you want to do this. The disciplinary manager or the witness can say no to your request and look at other ways to get this information.

The meeting may be temporarily adjourned to allow any of those present to take a comfort break, for you to discuss something with your companion or for the disciplinary manager to have time to consider your comments and any evidence presented or for the disciplinary manager to make their decision.

If during the meeting new evidence comes to light and further investigation is needed, the meeting will be adjourned whilst this is carried out. The disciplinary manager will share any new evidence gathered with you, and you'll be given the chance to question it, either in person or in writing. If they meet with you again to talk this through, you can have a companion with you.

The disciplinary manager should let you know when they plan to make a decision. They may decide to do this on the same day (after an adjournment in which they make their decision) or it could be a later date if they need more time to think or do further investigation. Once a decision has been reached, you'll receive confirmation of the outcome in writing.

Sometimes the disciplinary manager may decide to meet with you to talk it through. If a disciplinary outcome is given, then you have the right to appeal the decision.

If you're still within your probationary period, we may decide not to follow the formal process set out above and instead we'll take alternative steps that we consider to be more appropriate in the circumstances.

If a grievance is raised during the formal stage, we may decide to look into both matters at the same time or if appropriate we may look at any concerns before a disciplinary outcome is reached.

Disciplinary outcomes

If it's decided that your conduct hasn't been acceptable then one of the following outcomes could be given. If you're already subject to a live warning, this will be considered when determining any further disciplinary action:

- First formal warning – live for six months – for minor concerns
- Final formal warning – live for twelve months – for more serious matters or if improvements aren't made from the first warning
- Dismissal (with notice) – if improvements aren't made following formal warnings
- Summary Dismissal (no notice) – for gross misconduct only

If a warning is given, then you should be told what you need to improve things. This could include details of any support, a timeframe for improvement and how this will be managed. You'll also be told of any bonuses or benefits that you will not be eligible to receive whilst the warning is live and that you can appeal a warning or dismissal decision.

In serious matters or exceptional circumstances where there's a pattern or evidence of repeated breaches, a longer warning time may be given.

If you're absent for part of the warning period, the warning period may be suspended and re-started again on your return to work, so there can be a fair assessment of the required improvements.

Sometimes the disciplinary manager may decide to look at alternative options to dismissal. This could be a transfer or demotion and would be done alongside a formal warning. There may be changes to your terms and conditions of employment (including salary) and benefits package to reflect your new role.

Expired warnings will stay as a record on your file but will not be used in future decision making.

Serious and gross misconduct

This list doesn't include every possible scenario and is in no particular order:

- Theft of any kind, including money, property, business information or intellectual property

- Fraud or deliberate falsification of records
- Dangerous behaviours such as physical assault or violence of any kind
- Harassment, sexual harassment bullying or seriously inappropriate behaviour
- Acts of discrimination against colleagues, customers or other third parties
- Breach of requirements relating to safeguarding of children or vulnerable adults
- Deliberate damage or misuse of our company information (including our name and intellectual property), money and resources (including property and equipment)
- Serious insubordination or deliberate failure to comply with a reasonable management request
- Any actions which could bring us into disrepute, this could be within the workplace or on another forum such as a personal social media account
- Serious negligence which causes or might cause loss, damage or injury
- Serious breach of health and safety rules resulting in, or likely to cause, injury to self or others
- Breach of rules on confidentiality or misuse of confidential information including personal data
- Deliberate breach of professional standards relevant to your employment such as immoral behaviour and serious dishonesty
- A conviction in Court for a criminal offence or any kind, other than minor driving convictions resulting in points and/or a fine (this exemption does not include driving under the influence of alcohol or drugs)
- The use of recreational drugs or intoxicants while at work, or engaging in substance misuse that affects work performance, even outside of normal working hours
- Possession and supply of illicit drugs

Appeal

If you wish to appeal a warning or dismissal decision, you'll need to put your grounds for appeal in writing, ideally sending this electronically. You'll be told who to appeal to in your outcome letter and you need to do this within five working days of receiving it. You can appeal on:

- Process – how this was followed, whether it was followed correctly and fairly
- Decision making – how the outcome was reached, whether the outcome was fair and proportionate
- Any new information – that wasn't available before

If you don't submit your appeal within the timeframe given, then you'll lose your right to appeal and if you don't provide sufficient grounds to your appeal, we may decide not to hear it.

The appeal process

An independent manager will be asked to look at your appeal. It'll usually be a more senior manager but could be someone at the same level as the original decision maker; the main thing is that they've not been involved before.

They'll let you know that they've received your appeal and invite you to an appeal meeting, this is your opportunity to discuss your points of appeal in detail so please be prepared. The manager running the meeting will usually ask you any questions they may have.

The meeting will take place without unreasonable delay, it will normally take place within ten working days. We'll always give a minimum of two days' notice of the appeal meeting. You can have a companion with you (a colleague/Trade Union rep – see our companion guidance for more information), and you need to make every effort to be there.

If there's a reasonable explanation why you or your companion cannot attend the meeting, you need to let the manager running it know as soon as possible. If this is the case the meeting will be reorganised, usually within five days of the original date. If you fail to attend without explanation or if it appears you've not made sufficient attempts to attend, the appeal meeting may take place in your absence.

If you've got any further documents or evidence, please share these with the appeal manager at least two working days before the meeting.

Your appeal will be reviewed as quickly as possible and can include speaking to other people, looking into facts and history. The manager should let you know how long they think it will take them to do this and reach an outcome.

Where further investigation is not required, a decision will be confirmed, usually within five working days of the meeting. If more investigation is needed, the manager may complete the investigation or allocate someone to do so and report back to them, this will be done as quickly as possible. A further meeting with you may be needed to clarify points or alternatively you'll be asked to give written answers to any questions the manager may have.

The timescales outlined above will be followed as much as possible but there may be circumstances outside of either parties' control. Where it's not possible to keep to the usual timeframes, the manager will keep you informed of progress.

Appeal outcome

Once a decision has been reached, you'll be told of the outcome in writing. Sometimes the manager may decide to meet with you to talk it through. The decision they make will be final and there's no further right of appeal.

The outcome will be that the manager either supports the points of your appeal, they support some of the points raised or do not support any of the points raised. The appeal outcome will also say if any further actions need to be taken.

Record keeping

Accurate notes that reflect the discussion should be taken at all stages of any formal process; these will not be word for word.

We usually provide a note taker to capture meeting notes at formal meetings, we don't allow meetings to be taped, digitally recorded or videoed without everyone's consent to do so. If everyone agrees then meetings may be recorded to allow for a digitised transcription of the meeting. These notes along with any other documentation will be kept securely on your file.

Suspension or alternative working arrangements

At any point during the formal stage, we may decide to suspend you, change your working pattern or put you on other duties. We'll only do this if we feel it's necessary whilst investigations are carried out.

Suspension is not a disciplinary action. It will be on full pay and will be as brief as possible. The fact finding or disciplinary manager will keep in contact with you.

Support available

We'll always try and deal with conduct management matters as quickly as possible and we encourage you to do the same. We understand that being part of a formal process may be a difficult experience, no matter how well it's carried out.

If you have any concerns speak to your manager or another manager. We also have our Employee Assistance Programme, which gives you free and confidential advice and support.

Where can I find more information?

- Companion Guidance
- Witness Guidance
- Note Taking Guidance
- Employee Assistance Programme
- Support at Work Guidance
- Grievance Policy

If you have any questions about this policy, please contact your manager or the People Hub at peoplehub@supportingeducation.com

	Job Title	Date
Prepared by	People Hub	April 2025
Signed off by	People Leadership Team	April 2025
Next review due	People Hub	June 2026



Best
Practice
Network

