

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

1. LETTER – INFORMAL DISCIPLINARY ADVICE AND GUIDANCE	2
2. LETTER OF SUSPENSION	3
3. LETTER ON REVIEW OF SUSPENSION	6
4. LETTER ENDING SUSPENSION	7
5. LETTER RE INVESTIGATION	8
6. LETTER ENCLOSING INVESTIGATORY REPORT – NO ACTION	10
7. LETTER INVITING TO DISCIPLINARY MEETING	11
8. LETTER TO THE EMPLOYEE – NO ACTION	13
9. OUTCOME LETTER – FIRST WRITTEN WARNING	14
10. OUTCOME LETTER – FINAL WRITTEN WARNING	15
11. OUTCOME LETTER – DISMISSAL ON NOTICE – NOT TO BE USED IN GROSS MISCONDUCT CASES	16
12. OUTCOME LETTER – DISMISSAL WITHOUT NOTICE OR TERMINATION PAYMENT	18
13. OUTCOME LETTER – PROPOSED VOLUNTARY DEMOTION	19
14. LETTER – RECEIPT OF APPEAL	20
15. LETTER – OUTCOME OF APPEAL – NO CHANGE	21

NOTES TO USERS:

You must either complete or delete information which is highlighted in yellow in these template letters before sending to the employee.

Please pay specific attention to who is sending each letter and ensure that it fits with your governance structure and the table in paragraph 4.1 of your adopted Disciplinary Policy and Procedure.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

1. LETTER – INFORMAL DISCIPLINARY ADVICE AND GUIDANCE

Users should note that this letter will need to be adapted depending on whether the advice was provided verbally and is being followed up in writing or whether it is being provided in writing.

Dear [NAME]

As your line manager, I have identified unsatisfactory conduct in the carrying out of your professional duties. The unsatisfactory conduct I have identified is [INSERT DETAILS OF POOR CONDUCT].

As a result of this unsatisfactory conduct, I [have provided/am providing] the following informal advice and guidance:

[INSERT DETAILS OF THE INFORMAL ADVICE AND GUIDANCE INCLUDING DETAILS OF THE IMPROVEMENT REQUIRED]

If there is further unsatisfactory conduct, the provision of this informal advice and guidance may be referred to in order to evidence that an informal approach to dealing with unsatisfactory conduct was attempted and to demonstrate the success or failure of such an approach.

A record of the provision of this informal advice and guidance will be kept for [6 months]. You have the right to have your response to this informal advice and guidance recorded in writing on your personnel records. If you would like to provide your written response please do so as soon as possible.

Failure to comply with any informal advice and guidance provided, will not, on its own, be used as justification for issuing a higher form of sanction than would otherwise have been imposed under the formal process.

Consideration will be given to any difficulties you are facing, and the [school/academy] will provide reasonable support and assistance to help you to overcome them. If there are any issues you wish to raise, please let me know.

If you are a member of a trade union or other professional association, you may wish to seek their advice and support if you have not already done so.

If you have any questions in relation to the informal advice and guidance provided please let me know.

Yours sincerely

[Name]

Effective date: April 2012 (updated November 2020)
© The Catholic Education Service

CES TEMPLATE LETTERS
NOT TO BE PLACED ON SCHOOL INTRANET*

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

2. LETTER OF SUSPENSION

Dear [NAME]

Suspension

In accordance with the provisions of the Academy Trust Company's Disciplinary Policy and Procedure [and having taken your comments at the suspension meeting into consideration], I am [suspending you][confirming your suspension] from work with immediate effect. Your suspension will last for [INSERT DAYS] and will therefore end on [INSERT DATE].

Your suspension is necessary in order to allow disciplinary allegations that have been made to be investigated effectively and thoroughly. As an alternative to suspension, I considered [arranging for your supervision on Academy Trust Company premises during the disciplinary investigation] [allowing for you to remain on Academy Trust Company premises unsupervised during the disciplinary investigation] [arranging for you to work in a different part of the Academy Trust Company during the disciplinary investigation] [INSERT ANY OTHER ALTERNATIVE(S) TO SUSPENSION THAT WERE CONSIDERED].

However, in the circumstances none of the above measures would provide a suitable alternative to suspension because [your presence at the [school/academy] during the disciplinary investigation process could have potential safeguarding implications and we do not have sufficient human resources in place to ensure your constant supervision] [It is likely that your presence at the [school/academy] could hinder the disciplinary investigation] [INSERT OTHER RELEVANT REASON(S) FOR REJECTING CONSIDERED ALTERNATIVES].

The allegations that have been made relate to [INSERT BRIEF OUTLINE OF ALLEGATIONS.]

You should be aware that suspension is not in itself a disciplinary sanction, it is a neutral act intended to ensure that an effective investigation can take place. During the period of your suspension, your contractual duties to the School and Academy Trust Company remain in force and enforceable.

I enclose a copy of the Disciplinary Policy and Procedure.

During the period of your suspension I have appointed [INSERT STAFF MEMBER'S NAME] to act as a point of contact for you. They will not be able to discuss the disciplinary issue with you, but will be responsible for keeping you informed of any relevant workplace developments and maintaining your relationship with the [school/academy].

[INSERT NAME] has been appointed as the Investigating Manager and [he/she] may contact you during the period of suspension to ask for information or documents. Your cooperation with the Investigating Manager will assist in enabling a speedy conclusion to be reached.

During the period of your suspension, you:

Effective date: April 2012 (updated November 2020)
© The Catholic Education Service

CES TEMPLATE LETTERS
NOT TO BE PLACED ON SCHOOL INTRANET*

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

- (a) Will continue to be paid in full and you will receive full benefits (unless you are otherwise absent from work due to sickness or other leave and have exhausted the pay entitlements connected to your absence);
- (b) Must not, **without my prior written permission**, discuss the fact of your suspension or the fact, or the nature, of the allegations against you with anyone in or connected with the Academy Trust Company (including pupils, parents, directors, local governors and colleagues) other than me, your trade union representative or **[NAME OF LINE MANAGER]** or **[NAME OF INVESTIGATING MANAGER]**.

If you are called to an interview with the Investigating Manager or a Disciplinary Meeting you may then approach work colleagues for the purposes of identifying a willing work Companion but only if you do not have access to an accredited representative of a trade union or other professional association of which you are a member.

If you are called to a Disciplinary Meeting you may then approach work colleagues as potential witnesses in support of your case via the Investigating Manager.

- (c) Must not, **without my prior permission**, make any contact with any director, parent, pupil, local governor or any third party connected to the Academy Trust Company.

If following the investigation you are called to a Disciplinary Meeting you may then approach directors, local governors, parents or pupils as potential witnesses but this must be done via the Investigating Manager to avoid any breach of data protection legislation and/or duties of confidentiality.

- (d) Should be available by phone or email during your normal working hours to assist with any queries relating to your work. The phone numbers and email address we have for you are **[INSERT]**. Please let me know immediately if this information is incorrect.
- (e) Must not attend any Academy Trust Company premises at any time (except with the prior agreement of the Headteacher or Chair)

[Access to your workplace email account and the Managed Learning Environment (MLE)/Virtual Learning Environment (VLE) will be suspended].

[I will notify the Chair of the Board of Directors of the Academy Trust Company of your suspension] [I will notify the Board of Directors of the Academy Trust Company of your suspension].

The periods of your suspension will be as brief as possible and will be kept under review. **[As the periods of suspension is 20 Working Days or longer, it will be reviewed by the Chair of the Board of Directors of the Academy Trust Company at least every 20 Working Days with the first review being on [INSERT DATE]].**

If your suspension is extended, then the Chair of the Board of Directors of the Academy Trust Company will write to you providing the reason(s) for extending the suspension along with the length of the extension. This will be done as soon as reasonably practicable after the extension is deemed necessary.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

If you are a member of a trade union or other professional association, you may wish to seek their advice and support if you have not already done so.

You may also be able to obtain support from Education Support, who can be contacted on 08000 562 561. [INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO ACADEMY STAFF].

Yours sincerely

NAME

[Headteacher][Chair of the Board of Directors of the Academy Trust Company]

Enc. Disciplinary Policy and Procedure

cc. Investigating Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

3. LETTER ON REVIEW OF SUSPENSION

Dear [NAME]

Review of Suspension

I am writing to confirm that I have reviewed your suspension and as the investigation is ongoing, I have decided to extend your suspension for a further [INSERT NUMBER OF DAYS] days. Your suspension will therefore now end on [INSERT DATE].

[In making the decision to extend your suspension, I have reviewed the initial reason for deciding to suspend you from duty, detailed in my previous letter of [INSERT DATE OF LETTER] and the position has not changed].

OR

[Having again considered any alternatives to your suspension, there is no adequate alternative measure for the reasons provided in my previous letter of [INSERT DATE OF LETTER], as the position has not changed.]

OR

[INSERT OTHER RELEVANT REASON]

I shall review your suspension again in a further [INSERT NUMBER] Working Days, therefore on the [INSERT DATE]

If you are a member of a trade union or other professional association, I recommend that you seek their advice and support if you have not already done so.

You may also be able to obtain support from Education Support, who can be contacted on 08000 562 561. [INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO ACADEMY STAFF].

Yours sincerely

[NAME]

Chair of the Board of Directors of the Academy Trust Company

cc. Investigating Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

4. LETTER ENDING SUSPENSION

Dear [NAME]

End of suspension

I am writing to inform you that your period of suspension has now concluded, and you should return to work on [INSERT NEXT WORKING DAY].

Thank you for your patience during your period of suspension, which has allowed us to ensure the matter could be investigated thoroughly and fairly.

The Investigating Manager, [INSERT NAME], will be writing to you separately with a copy of the Investigation Report.

Yours sincerely

[NAME]

Chair of the Board of Directors of the Academy Trust Company

cc. Investigating Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

5. LETTER RE INVESTIGATION

Dear [NAME]

Investigation

I have been appointed as Investigating Manager under the Academy Trust Company's Disciplinary Policy and Procedure and I enclose a copy of that Policy for you. I have been asked to prepare an Investigation Report and to make a recommendation as to whether you should be invited to a Disciplinary Meeting in relation to the following allegations:

- [INSERT DETAIL OF ALLEGATIONS].

This list of allegations is not definitive and may need to change during the course of my investigation. You will be made aware of any subsequent allegations and given the opportunity to respond to them.

You are required to co-operate fully with my investigation. Your co-operation will ensure that the investigation can be completed as swiftly and as thoroughly as possible and, in any event, within a reasonable timeframe. The terms of reference for my investigation are as follows:

- [INSERT TERMS OF REFERENCE]

Interview

To assist me in my investigation, I would like to meet with you on [DATE] at [TIME] at [VENUE]. If you would prefer, I am happy to meet with you at home or at a neutral venue. If this is preferred, please let me know the proposed alternative venue as soon as possible. At our interview, I would like you to identify any people you believe I should also be interviewing or any documentation that you wish me to look for. My task is to consider all of the facts in order to arrive at a balanced understanding of the available evidence.

You may be accompanied by a Companion who can be a trade union official, an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague who is not involved in this disciplinary issue. Note that your Companion cannot answer questions for you and you must notify me of their name at least the Working Day before the meeting, therefore by [INSERT DATE].

You may also, if you wish, provide me with a written statement or response.

OR

Written Questions [N.B. ONLY TO BE USED IN EXCEPTIONAL CIRCUMSTANCES]

At this stage I do not consider it necessary to meet with you but would like you to answer the questions attached in writing by [DATE] which will assist me in my investigation.

I would also like you to identify any people you believe I should also be interviewing or any documentation that you wish me to look for. My task is to consider all of the facts in order to arrive at a balanced understanding of the available evidence.

You may be assisted in formulating your response to my questions by a Companion who can be a trade union official, an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague who is not involved in this disciplinary issue.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

At the conclusion of the investigation, I will produce an investigation report which will set out in detail, the allegations made in respect of your conduct, the evidence considered and my recommendation as to how to proceed. You will be sent a copy of the investigation report as soon as is reasonably practicable following the end of the investigation.

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe I can make to accommodate your disability in relation to my investigation, please do let me know as soon as possible.

You may also be able to obtain support from Education Support, who can be contacted on 08000 562 561. **[INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO SCHOOL STAFF]**.

Yours sincerely

[NAME]
Investigating Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

6. LETTER ENCLOSING INVESTIGATORY REPORT – NO ACTION

Dear [NAME]

Outcome of investigation

I have completed my Investigation Report and enclose a confidential copy. You will see that I have recommended that there be no Disciplinary Meeting in relation to the allegations. This recommendation has been made on the basis that [there is insufficient evidence][there is no case to answer][no meeting is required as informal advice and guidance is more appropriate]. [SPECIFY WHO WILL PROVIDE THE RELEVANT INFORMAL ADVICE AND GUIDANCE AND WHEN THE EMPLOYEE CAN EXPECT TO RECEIVE IT].

Therefore, this matter is now closed.

Thank you for your assistance.

Yours sincerely

[NAME]

Investigating Manager

Enc. Investigation Report

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

7. LETTER INVITING TO DISCIPLINARY MEETING

Dear [NAME]

Outcome of investigation – Disciplinary Meeting

I have now completed my Investigation Report and enclose a confidential copy. You will see that I have recommended that you should attend a Disciplinary Meeting. The Investigation Report sets out the allegations in detail (including, where relevant, dates of the alleged incidents), together with all supporting evidence.

You are therefore required to attend a Disciplinary Meeting on [DATE] at [TIME] at [VENUE].

The purpose of the Disciplinary Meeting is for you to have an opportunity to comment on the Investigation Report.

The Disciplinary Manager conducting the Disciplinary Meeting (appointed pursuant to the Academy Trust Company's Disciplinary Policy and Procedure) is [INSERT NAME/S].

I will be presenting the report to the Disciplinary Meeting and you will have an opportunity to make any representations you wish in relation to the allegations against you. Any documentation you wish to rely on or details of any witnesses that you wish to call on your behalf must be submitted at least 2 Working Days in advance of the Disciplinary Meeting, therefore by [INSERT DATE].

Written or oral evidence can be presented at the Disciplinary Meeting. If written evidence is to be relied upon, you will be provided with it prior to the Disciplinary Meeting and you will be given a reasonable opportunity to comment on it during the Disciplinary Meeting if you attend the meeting. If you do not attend the Disciplinary Meeting, you will be given an opportunity to provide written responses to any written evidence presented. If oral evidence is heard at the Disciplinary Meeting you will be given an opportunity to comment on it.

In the event that the allegations against you are proven, you should be aware that you may face a formal sanction pursuant to the Academy Trust Company's Disciplinary Policy and Procedure, in this case most likely sanction is [SANCTION]

[You should note that the allegations, if proven, may be considered sufficiently serious, either alone or taken together with other warnings or matters, to warrant the termination of your employment].

You may be accompanied by a Companion who can be a trade union official, an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague who is not involved in this disciplinary issue. Note that your Companion cannot answer questions for you and you must notify me of their name at least the Working Day before the meeting, therefore by [INSERT DATE].

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe we can make to accommodate your disability at the Disciplinary Meeting, please do let me know as soon as possible.

It may be necessary to adjourn the Disciplinary Meeting (for up to 15 Working Days) to allow further investigation in the light of your evidence and any other matter which may arise during the meeting and in such circumstances the Disciplinary Meeting will be reconvened to give you an opportunity to comment on any further evidence produced by

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

further investigations. If this occurs, you will be provided with at least 5 Working Days written notice of any reconvened Disciplinary Meeting.

You may also be able to obtain support from Education Support, who can be contacted on 08000 562 561. **[INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO ACADEMY STAFF]**.

Yours sincerely

[NAME]
Investigating Manager

cc. Disciplinary Manager

Enc. Investigation Report

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

8. LETTER TO THE EMPLOYEE – NO ACTION

Dear [NAME]

Outcome of Disciplinary Meeting

I am writing to confirm the outcome of the Disciplinary Meeting held on [DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

I have concluded that [that, on balance, there is insufficient evidence to substantiate the allegations made against you and so the disciplinary proceedings will be terminated and no further action will be taken under the Disciplinary Policy and Procedure][that there is no case to answer and so the disciplinary proceedings will be terminated and no further action will be taken under the Disciplinary Policy and Procedure] [that a formal disciplinary sanction is not required despite evidence to support the allegations of misconduct, but informal advice and guidance should be issued to you [PROVIDE DETAILS OF WHO WILL BE PROVIDING THE INFORMAL ADVICE AND GUIDANCE AND WHEN THE EMPLOYEE CAN EXPECT TO RECEIVE IT]].

Therefore, this matter is now closed.

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

Thank you for your assistance.

Yours sincerely

[NAME]
[Disciplinary Manager]

Enc. Notes from the Disciplinary Meeting.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

9. OUTCOME LETTER – FIRST WRITTEN WARNING

Dear [NAME]

Outcome of Disciplinary Meeting – First Written Warning

I am writing to confirm the outcome of the Disciplinary Meeting held on [INSERT DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- [INSERT DETAILS OF ALLEGATIONS THAT HAVE BEEN PROVEN]

It has been further decided that the appropriate formal sanction is a First Written Warning which will remain live on your file for 6 months from and including today, therefore until [INSERT DATE].

The following changes in behaviour will need to occur within [INSERT DURATION], therefore by [INSERT DATE]:

- [INSERT DETAILS OF CHANGES IN BEHAVIOUR REQUIRED]

Any further misconduct, whether of a similar or dissimilar nature being discovered or occurring in the 6 month period this warning remains live (even if not discovered until after the end of this period) may result in further disciplinary action which may, in turn, lead to either a Final Written Warning or the termination of your employment.

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to the Board of Directors of the Academy Trust Company setting out your grounds of appeal. Any appeal should be lodged within 10 Working Days of the date of this letter and therefore by [INSERT DATE].

Yours sincerely

[NAME]
Disciplinary Manager

Enc. Notes from the Disciplinary Meeting

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

10. OUTCOME LETTER – FINAL WRITTEN WARNING

Dear [NAME]

Outcome of Disciplinary Meeting – Final Written Warning

I am writing to confirm the outcome of the Disciplinary Meeting held on [DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- [INSERT DETAILS OF ALLEGATIONS THAT HAVE BEEN PROVEN]

It has been further decided that the appropriate formal sanction is a Final Written Warning which will remain live on your file for 12 months from and including today, therefore until [INSERT DATE].

The following changes in behaviour will need to occur within [INSERT DURATION], therefore by [INSERT DATE].

[INSERT DETAILS OF CHANGES IN BEHAVIOUR REQUIRED]:

Any further misconduct, whether of a similar or dissimilar nature being discovered or occurring in the 12 month period the warning remains live (even if not discovered until after the end of this period) may result in further disciplinary action which, in turn, may lead to the termination of your employment.

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to the Board of Directors of the Academy Trust Company setting out your grounds of appeal. An appeal should be lodged within 10 Working Days of the date of this letter and therefore by [INSERT DATE].

Yours sincerely

[NAME]
[Disciplinary Manager]

Enc. Notes from the Disciplinary Meeting.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

11. OUTCOME LETTER – DISMISSAL ON NOTICE – NOT TO BE USED IN GROSS MISCONDUCT CASES

Dear [NAME]

Outcome of Disciplinary Meeting – Dismissal on Notice

I am writing to confirm the outcome of the Disciplinary Meeting held on [DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- [INSERT DETAILS OF ALLEGATION PROVEN]

It has been further decided that these offences, whilst they do not in and of themselves amount to gross misconduct, are sufficiently serious to terminate your employment when taken together with previous warnings. Accordingly, your employment is being terminated in accordance with the notice provisions in your contract of employment which means your employment will end on [INSERT DATE].

[During this period, you are required to attend work.]

OR

[During this period you are not required to attend work and will be placed, in effect, on garden leave and will receive your pay and benefits for the remainder of your notice period. During your period of garden leave, you should not contact anyone at the Academy Trust Company without the prior permission of [the Chair of the Board of Directors of the Academy Trust Company. During this period you are bound by the terms of your contract of employment until the expiry of the notice period].

OR

[In accordance with the payment in lieu of notice clause the Board of Directors will be bringing your contract to an end with immediate effect.]

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to the Board of Directors of the Academy Trust Company setting out your grounds of appeal. Any appeal should be lodged within 10 Working Days of the date of this letter and therefore by [INSERT DATE]

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

Yours sincerely

Effective date: April 2012 (updated November 2020)
© The Catholic Education Service

CES TEMPLATE LETTERS
NOT TO BE PLACED ON SCHOOL INTRANET*

**ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS**

[NAME]

Chair of the Board of Directors of the Academy Trust Company

Enc. Notes from the Disciplinary Meeting.

[NB: ONLY THE ACADEMY TRUST COMPANY HAS THE POWER TO TERMINATE STAFF EMPLOYMENT. THIS POWER MAY HAVE BEEN DELEGATED TO A COMMITTEE OR TO AN INDIVIDUAL. PLEASE ENSURE THAT THE LETTER GIVING NOTICE OF TERMINATION OF EMPLOYMENT IS SIGNED BY THE BODY/PERSON WITH AUTHORITY TO EXERCISE THE POWER TO TERMINATE EMPLOYMENT.]

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

12. OUTCOME LETTER – DISMISSAL WITHOUT NOTICE OR TERMINATION PAYMENT

Dear [NAME]

Outcome of Disciplinary Meeting – Dismissal without Notice or Termination Payment

I am writing to confirm the outcome of the Disciplinary Meeting held on [DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigation Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- [INSERT DETAILS OF ALLEGATIONS WHICH HAVE BEEN PROVEN]

It has been further decided that your actions and/or omissions amount to gross misconduct or have otherwise destroyed the trust and confidence required between the Academy Trust Company and you and, as such, your employment is terminated without notice or termination payment. Your employment is therefore terminated with immediate effect.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to the Board of Directors of the Academy Trust Company setting out your grounds of appeal. An appeal should be lodged within 10 Working Days of the date of this letter and therefore by [INSERT DATE]. For the avoidance of doubt your dismissal takes place immediately and does not await the outcome of any appeal.

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

Yours sincerely

[NAME]

Chair of the Board of Directors of the Academy Trust Company
Enc. Notes from the Disciplinary Meeting.

[NB: ONLY THE ACADEMY TRUST COMPANY HAS THE POWER TO TERMINATE STAFF EMPLOYMENT. THIS POWER MAY HAVE BEEN DELEGATED TO A COMMITTEE OR TO AN INDIVIDUAL. PLEASE ENSURE THAT THE LETTER GIVING NOTICE OF TERMINATION OF EMPLOYMENT IS SIGNED BY THE BODY/PERSON WITH AUTHORITY TO EXERCISE THE POWER TO TERMINATE EMPLOYMENT.]

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

13. OUTCOME LETTER – PROPOSED VOLUNTARY DEMOTION

Dear [NAME]

Outcome of Disciplinary Meeting – Proposed Voluntary Demotion

I am writing to confirm the outcome of the Disciplinary Meeting held on [DATE].

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- [INSERT DETAILS OF ALLEGATIONS WHICH HAVE BEEN PROVEN]

Having considered the matter, it appears that a recent promotion or job change has been a contributory factor in your misconduct and, accordingly, *as an alternative* to a [Final Written Warning] OR [dismissal on notice], we propose instead that you are demoted from your post of [CURRENT POST] at a salary of [£CURRENT SALARY] to the post of [PROPOSED POST] at a salary of [£PROPOSED SALARY] with effect from the date of your agreement to the proposal.

If you wish to agree to this voluntary demotion, please confirm your acceptance in writing to me within 5 Working Days i.e. by [INSERT DATE]. If I have not heard from you within 5 Working Days then I will write to you imposing the alternative sanction, being a [Final Written Warning] OR [dismissal on notice].

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to the Board of Directors of the Academy Trust Company setting out your grounds of appeal. An appeal should be lodged within 10 Working Days of the date of this letter and therefore by [INSERT DATE].

In accordance with the Disciplinary Policy and Procedure I enclose a copy of the notes from the Disciplinary Meeting.

Yours sincerely

[NAME]

Disciplinary Manager

Enc. Notes from the Disciplinary Meeting.

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

14. LETTER – RECEIPT OF APPEAL

Dear [NAME]

Receipt of Appeal

Thank you for sending me your appeal against the formal sanction imposed under the Academy's Disciplinary Policy and Procedure following the recent Disciplinary Meeting held on [DATE].

Under the Disciplinary Policy and Procedure, the Directors' Appeal Panel will consider your appeal. This Appeal Meeting will take place on [DATE] at [TIME] which falls within the 20 Working Day period set out in the policy.

The Directors' Appeal Panel will comprise the following directors:

- [INSERT PANEL MEMBER NAMES]

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe I can make to accommodate your disability in relation to my the Appeal Hearing, please do let me know as soon as possible.

You may be accompanied by a Companion who can be a trade union official, an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague who is not involved in this disciplinary issue. Note that your Companion cannot answer questions for you and you must notify me of their name at least the Working Day before the meeting, therefore by [INSERT DATE].

[Should your appeal be successful, you will be reinstated with no break to your continuous service]

Yours sincerely

NAME

Clerk to the Board of Directors of the Academy Trust Company

cc. Appeal Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

15. LETTER – OUTCOME OF APPEAL – NO CHANGE

Dear [NAME]

Outcome of Appeal

Further to the Appeal Meeting on [DATE], I can confirm, on behalf of the Directors' Appeal Panel, that it has been decided to uphold the original decision and to reject your appeal.

[In providing your grounds for appeal, you have not presented any new facts or information that had not already been taken into account when the decision was made].

OR

[The information you have provided in your grounds for appeal does not add anything material to the facts which would warrant further investigation].

There is no appeal against our decision.

Yours sincerely

[NAME]

Chair of Directors' Appeal Panel

cc. Disciplinary Manager

ST FRANCIS ACADEMY DISCIPLINARY POLICY AND PROCEDURE
MODEL CES TEMPLATE LETTERS

LETTER – OUTCOME OF APPEAL – REDUCED SANCTION

Dear **NAME**

Outcome of Appeal

Further to the Appeal Meeting on **[DATE]**, I can confirm, on behalf of the Directors' Appeal Panel, that the Panel has decided to reduce the formal sanction imposed on you following the Disciplinary Meeting.

Your sanction is reduced from:

[dismissal without notice to a Final Written Warning which will remain on your file for [INSERT NUMBER OF MONTHS] months from and including today, therefore until [INSERT DATE].

[In the event of any further misconduct, whether of a similar or dissimilar nature occurring or being discovered in this period (even if not discovered until after the end of this period), you will be subject to further disciplinary action which may involve dismissal.]

Please note that this process has not affected your continuous employment and associated rights.

OR

[a Final Written Warning to a First Written Warning which will remain live on your file for [INSERT NUMBER OF MONTHS] months from and including today, therefore until [INSERT DATE].

The decision to reduce the disciplinary sanction is based on a review of the facts, having regard to the information you have provided in your grounds for appeal. In particular **[INSERT REASONING BEHIND THE DECISION, WHICH SHOULD RELATE TO THE POINTS RAISED DURING THE APPEAL PROCESS].**

In the event of any further misconduct, whether of a similar or dissimilar nature occurring or being discovered in this period (even if not discovered until after the end of this period), you will be subject to further disciplinary action which may result in either a Final Written Warning or dismissal.

OR

[INSERT ANY SANCTION TO NO SANCTION AT ALL IF THE DECISION OF THE DISCIPLINARY MANAGER IS TO BE OVERTURNED].

Yours sincerely

NAME

Chair of Directors' Appeal Panel

cc. Disciplinary Manager