

Disciplinary Policy

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1. Introduction

- 1.1 Our vision, underpinned by co-operative values¹, is threefold; to work in partnership with the community we serve to combat social exclusion and deprivation, to build a sustainable and vibrant community and local economy, and to provide learners with a global perspective helping them to become responsible and articulate citizens in a global economy. We will achieve this by delivering the highest possible standards of education, and for this we rely on the appropriate conduct of all our employees and volunteers.
- 1.2 Thrive welcomes the support of recognised Trade Unions in seeking to implement this policy in a fair and consistent manner.
- 1.3 Prior to final approval by the Trust Board this policy has been the subject of consultation with unions and professional associations; their suggested amendments have been taken into consideration and changes made where they can be agreed.
- 1.4 The Trust is committed to ensuring equality of treatment and fairness in its day to day operation in line with the Equality Act 2010. To this end, the CEO and school managers will share this policy with staff at induction and from time to time during their time at the school to ensure that staff know what is expected of them.

2. Purpose and General Principles

- 2.1 The disciplinary procedure is applicable to all Thrive staff, and will be applied fairly to all.
- 2.2 All colleagues are encouraged to resolve issues informally through normal supervision and informal discussion. Where this does not achieve the required improvement, or where the issue could be deemed as constituting gross misconduct, the formal process will be used.
- 2.3 This policy aims to manage issues of unacceptable or improper behaviour ('misconduct'). The Trust has a separate policy for managing performance and capability. Managers should apply the appropriate policy and seek HR advice where there is any doubt.
- 2.6 All colleagues subject to the disciplinary procedure will have the right to appeal a warning, dismissal or other sanction.
- 2.7 While a disciplinary case is proceeding, matters should be kept confidential by all parties, so far as practicable. Once action has been decided, the result may be announced, but detailed reasons or evidence given should be kept confidential, unless disclosure is required for legal reasons.
- 2.8 The Trust is sensitive to the concerns and feelings of all those involved in these types of processes and colleagues may wish to contact the independent counselling service, Space 2B Heard on 01482 705023, or hello@S2BH.org.

3. Legislation and guidance

- 3.1 This disciplinary procedure follows the [ACAS code of practice](#).
- 3.2 In all cases the employer must, as a minimum, tell the employee the nature of the complaint against them, allowing them the opportunity to challenge the allegations, have a representative with them

¹ self-help, self-responsibility, democracy, equality, equity, solidarity, honesty, openness, social responsibility and caring for others

during any formal meetings which could lead to a sanction being applied and give them the right to appeal the outcome of the process if they wish.

4. Right to be accompanied

- 4.1 Colleagues have the legal right to be accompanied by a trade union representative or workplace colleague at Disciplinary Hearings and Appeal Hearings. Thrive extends this right to all meetings of the disciplinary procedure. The accompanying representative has a statutory right to address the hearing or meeting but no statutory right to answer questions on the employees behalf.
- 4.2 Colleagues or anyone accompanying them must not make any electronic recordings of any meeting or hearings conducted under this procedure.
- 4.3 There is no right to legal representation and this will only be allowed in exceptional circumstances and upon request. The request may be refused if agreeing to it could cause an undue delay to the investigation taking place.

5. Informal Stage

- 5.1 If a minor issue of conduct or fall in standards comes to the attention of the manager, this should be dealt with as part of the normal supervisory function. Advice, support, counselling, assistance and the possibility of further training should be discussed which it is hoped will allow the employee the chance to modify their behaviour before formal disciplinary action is necessary.
- 5.2 Such action is outside of the formal disciplinary procedure, Managers will confirm in writing the outcome of the discussion offering management advice and guidance, indicating that this is not a formal warning under the Disciplinary Policy. The letter should be retained on the employee's file as part of their employment history.

6. Formal Stage (see flowchart at Appendix 1)

6.1 Prior to any formal investigation

- 6.1.1 Where a more serious case of misconduct is suspected, or if an employee fails to improve and maintain that improvement, formal disciplinary action may be taken. Examples of misconduct are given in Appendix 2.
- 6.1.2 Before instigating any formal investigation the responsible senior manager should appoint an investigating officer to first undertake an initial fact finding exercise to establish if there is a case to answer. They should also take HR advice.
- 6.1.3 If it is decided the issue does not need to be taken any further, then the manager should inform anyone involved so far. If it is discovered that an accusation was made maliciously, then the manager should pursue this as a different case.

7. Precautionary Action

- 7.1 In some cases it may be necessary to take precautionary action (temporary redeployment or suspension) whilst an investigation takes place: this is not prejudicial in any way to the outcome of the investigation and the employee will remain on normal pay.

- 7.2 Only the Exec Head, CFO and CEO can decide on whether or not to suspend a member of staff . Only the Chair of the Trust Board can suspend the CEO (or in their absence the Vice-Chair).
- 7.2 Precautionary action should be the last resort but may be appropriate where;
- the allegation(s) constitute potential gross misconduct;
 - where the employee continuing their work may hamper the investigation;
 - where they may commit further misconduct, or;
 - where they, or other people, may be put at risk by them remaining at work.
- 7.3 Any precautionary action should be kept under periodic review during the investigation as a consequence of the evidence gathered. Periods of suspension should be kept to the minimum necessary duration.
- 7.4 During any suspension the school will offer counselling support and provide guidance to any person who has been suspended and will recommend that trade union support and advice is sought.

8. The formal investigation

- 8.1 If it is deemed there is a case to answer then an investigating officer should be appointed straight away to establish the facts while they are still fresh in the memory of any witnesses. An external Investigating officer may be commissioned to undertake the investigation on behalf of the Trust.
- 8.2 The investigating officer should be a senior manager who is not involved or implicated in the case. They are appointed by the appropriate Senior Manager: they will gather the facts, identify and interview witnesses and obtain documentary evidence. They will produce a report detailing the findings of their investigation.
- 8.3 The first investigatory meeting should normally be held with the person named in the case; this is the opportunity to explain to them the nature of the allegation that has arisen. It also gives them an early chance to respond. They should be reminded to ask their trade union for support at this stage. Copies of the notes of the meeting will be shared with the employee to confirm the notes to be an accurate record of the meeting.
- 8.4 The substantive details of the initial findings should be withheld from managers, Governors or Trustees who might hear the case, so as not to prejudice them taking part in future stages of the process if necessary.
- 8.5 Following the investigation the report will be used by the appropriate Senior Manager to decide whether to proceed to a disciplinary hearing or, alternatively, decide that there is no case to answer, or that the matter should be dealt with informally.

9. Disciplinary Hearing

9.1 Disciplinary hearing process

- 9.1.1 Where a Disciplinary Hearing is to be convened, the employee will be advised in writing of the intention to hold a disciplinary hearing, giving 5 working days notice. The reason for the

hearing will be given, panel members, the date/time and place, the right to be accompanied by a trade union representative and the right to call relevant witnesses.

- 9.1.2 Included with the letter should be the investigation report with any appendices to form an information bundle. Only the information / documentation in this pack may be used during the hearing as evidence, together with any evidence given orally at the hearing. If the employee wishes to submit any further documentation this must be received by the panel at least 2 days prior to the hearing.
- 9.1.3 The employee will be informed that they are required to attend the hearing and that the hearing may go ahead in their absence.
- 9.1.4 All care will be given to ensure that all parties, including the employee's work colleague or trade union representative can be present on the date/time suggested.
- 9.1.5 The agenda for the disciplinary hearing is given at Appendix 3.
- 9.1.6 The Disciplinary Hearing will be heard by a Panel in line with Appendix 6.
- 9.1.7 The person taking notes is there to record the proceedings, and the notes will be used to assist the chair and the panel in making their decision. Notes should be retained with all of the other case material and may be used during any appeal.
- 9.1.8 Both parties will have the opportunity to present and discuss their case including the calling and questioning of witnesses. Witnesses called by either side should attend only for that part of the hearing necessary to give a witness statement and answer questions; they then leave the room.
- 9.1.9 Each side will have the opportunity to consider any further information which may come to light during the hearing, but if this happens and further investigations are needed then the hearing may need to be adjourned.
- 9.1.10 At the conclusion of the hearing, after an adjournment, or as soon as possible thereafter (normally within 2 working days) the chair of the hearing will inform the employee of the outcome. If a disciplinary sanction is to be applied, the employee will be told at what level and advised of their right of appeal as detailed in the appeals section attached at Appendix 4.
- 9.1.11 Disciplinary action will be confirmed in writing normally within five working days of the disciplinary hearing. If dismissal is the outcome, the date of dismissal is the date the employee is informed of the decision, if dismissed without notice; if dismissed on notice, the date the notice period expires. Dismissal may be communicated orally at a hearing; if done later by writing (and it will be confirmed in writing) the date that the written notification is received by the employee.

9.2 Postponement of any disciplinary hearing

- 9.2.1 In the event that the employee is unable to attend the hearing through circumstances outside their control or because their chosen representative is unavailable, the employee must consider another date offered by the employer. The new date must be reasonable and not normally more than 5 working days after the original date.
- 9.2.2 If the employee declines to attend then they can be given the opportunity to provide a written submission to be read out at the hearing and it may go ahead in their absence. This decision will be made by the Chair of the disciplinary panel taking into account the difficulties that may arise if the matters are left unaddressed.

- 9.2.3 If an employee is absent due to sickness during the disciplinary process, the Trusts Sickness Absence Policy will be started. Advice may be sought from the Occupational Health service regarding the employee's ability to take part in the process.

Where an employee is suspended and subsequently notifies management that they are unwell, normal notification/medical certification requirements will apply. Such absence will count against the employee's occupational sick pay entitlement and their absence record.

Reasonable time should be allowed for the employee to recover. However if it is likely that the absence will be prolonged, with the employee continuing to be unfit to take part in an investigation/hearing, the disciplinary process may proceed in his/her absence. The employee's representative may give evidence and state the case for the employee. The employee may provide a written statement.

9.3 The disciplinary hearing outcome

- 9.3.1 There are seven possible outcome levels.

- Level 1: Formal Verbal Warning
- Level 2: Formal Written Warning
- Level 3: Final Written Warning
- Level 4: Dismissal with Notice - Cumulative Misconduct
- Level 5: Dismissal without Notice - Gross Misconduct
- Level 6: Action short of dismissal
- Level 7: No case to answer

- 9.3.2 It is not necessary to progress through all of the above levels of action sequentially.

- 9.3.3 It is possible to move directly to Level 2 or even 3 providing the level of sanction is fair and can be justified.

- 9.3.4 When the level of sanction is decided the employee will be told this in writing, setting out, where applicable:

- The reason for the sanction including, if applicable, the failure to heed previous warnings.
- Specific requirements for any improved conduct, and its monitoring, if this is applicable.
- The likely outcome of a failure to achieve the required improvement if this is applicable. This may be up to and including dismissal.
- The time for which the warning remains effective, which will normally be 6 months for level 1 and 12 months for 2 and 3. A copy of the warning letter will remain on the employee's personnel file as a matter of record.
- The right to appeal the decision.
- Informed of referral to external agencies such as DBS and TRA where these happen.

- 9.3.5 After the hearing it may be appropriate for the employee's line manager to explain the warning and the improvements required – especially if the employee is returning from suspension.

9.4 Disciplinary hearing outcome levels

- 9.4.1 **Level 1: Formal Verbal Warning:** If conduct does not meet acceptable standards and the issue has not previously arisen the employee will normally be given a formal verbal warning.

- 9.4.2 **Level 2: Formal Written Warning:** A formal written warning will be given in the following circumstances:
- If the verbal warning proves ineffective and fails to produce the required improvement or another breach of discipline occurs within the timescale of the verbal warning, or
 - If an offence is sufficiently serious to warrant action at this level.
- 9.4.3 **Level 3: Final Written Warning:** A final written warning will be given:
- If there is still a failure to improve and/or conduct is still unsatisfactory.
 - Another breach of discipline occurs within the timescale of the verbal warning or a written warning.
 - The misconduct is sufficiently serious as to warrant only one written warning but insufficiently serious to justify dismissal (in effect both first and final written warning).
- 9.4.4 **Level 4: Dismissal With Notice - Cumulative Misconduct:** Dismissal with appropriate notice may be the disciplinary action in the following circumstances.
- Where the employee fails to reach the required level of improvement in conduct and where previous warnings have not been heeded.
 - Where another breach of discipline occurs during the timescale of the final written warning (which is not gross misconduct).
- 9.4.5 **Level 5: Dismissal Without Notice - Gross Misconduct:** Gross misconduct is defined by ACAS as “enough to overturn the contract between employer and employee” it also says the actions must be “...must be very serious...” - see Appendix 2 for some examples. Following the disciplinary hearing and where gross misconduct has been proven, the employee may be dismissed without notice. In this case the date of termination will be the date the employee is informed: either orally at a hearing, or the date the letter advising of the dismissal is received.
- 9.4.6 **Level 6: Action Short of Dismissal:** Where a panel decides that misconduct warrants dismissal but there are extenuating circumstances a final written warning with relegation to a lower graded post could be considered as an alternative. This could only be agreed if the Disciplinary Hearing Panel has confidence and trust in the employee to improve and remain a good employee following the warning. Relegation can be considered if a suitable lower graded post is available and the employee agrees to accept it without salary protection. In this case, a final written warning would be issued in the normal way.
- 9.4.7 **Level 7: No Case To Answer:** Where a panel decides that the disciplinary case is unfounded or unwarranted.

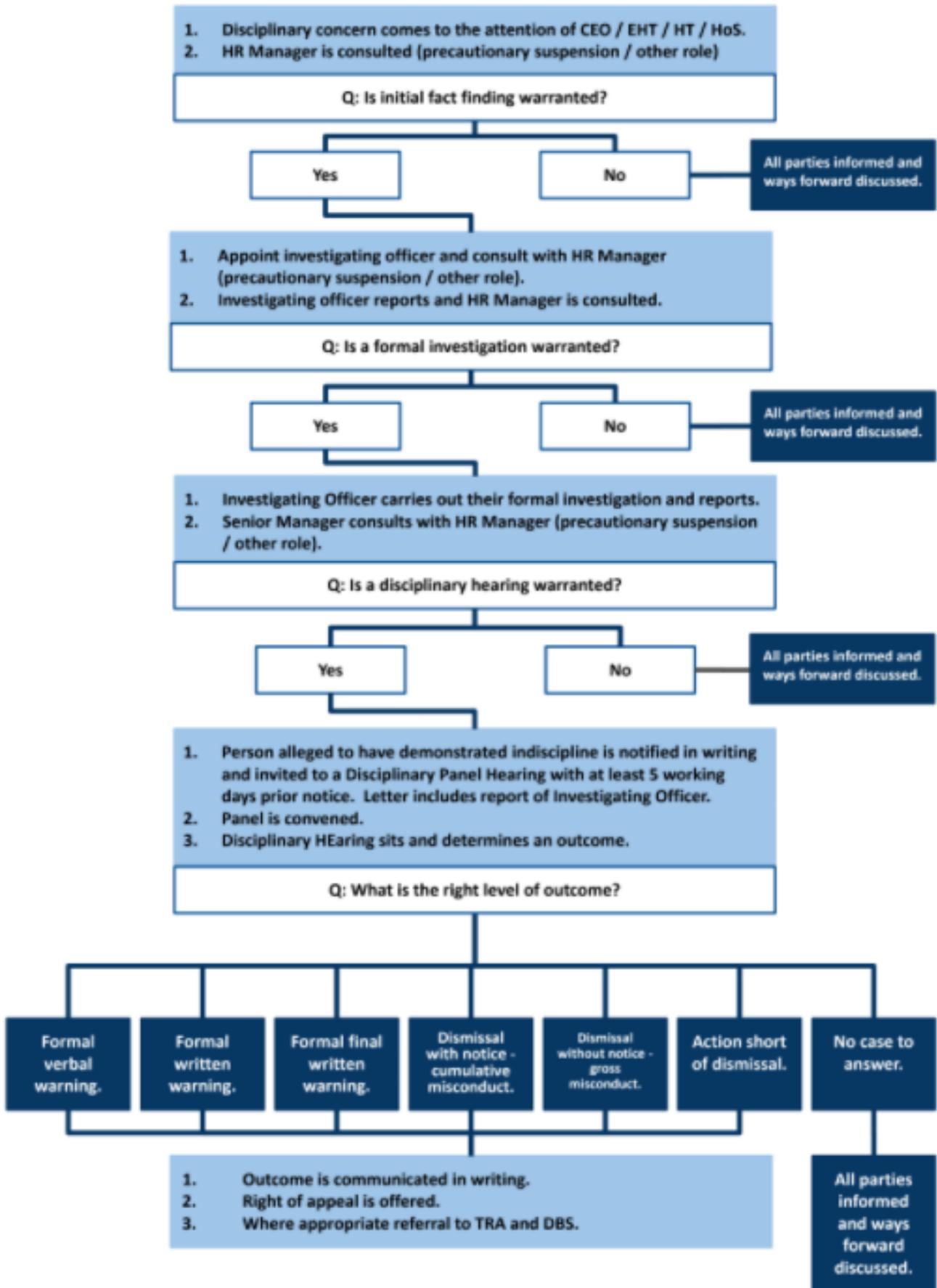
10. Right of Appeal

- 10.1 When a warning is issued, or an employee has been dismissed, they will be reminded in the letter of the right to appeal, and details will be given of how to appeal. Details of the appeals process is at Appendix4.

11. Referrals to external agencies

- 11.1 Employers have a legal duty to refer to the DBS / Teaching regulation Agency where an employee is suspended or dismissed, consideration must be given as to whether the matter should be reported to any professional bodies which require the reporting of misconduct issues e.g. Disclosure and Barring Service (DBS), Teaching Regulation Agency. Advice should be sought from the Pastoral School Development Lead, and the People Development Lead.

Appendix 1: Disciplinary Process Flowchart



Appendix 2: Examples of Misconduct

Appropriate and professional standards of behaviour and conduct are expected of all employees. Any breach of the disciplinary rules may lead to disciplinary action. Staff should ensure they are aware of the Code of Conduct and they should seek advice if they are unsure from their line manager in the first instance. Staff that witness misconduct are encouraged to report it as to ignore it is to condone the behaviour.

Gross Misconduct

This is not an exhaustive list of those incidences that could be construed as **gross misconduct**. It is provided as an example of the types of behaviour that could be regarded as such.

- Theft or attempted theft, fraud or fraudulent falsification of accounts, or other official records.
- Deliberate damage to the property of the school or that of any other employee.
- Physical or indecent assaults deemed sufficiently serious to affect an employee's position at work.
- Serious breaches of the School's Policy on the acceptance of gifts and hospitality.
- Serious breaches of confidentiality (unless subject to the protection afforded by the Whistle-blowing Policy/Public Interest (Disclosure) Act 1998).
- Discrimination, bullying or personal harassment of a serious, wilful and/or sustained nature.
- Being incapable of work, or of working safely due to the influence of alcohol or drugs (unless the Capability and/or Occupational Health Procedures are deemed to apply).
- Serious negligence or wilful failure to comply with legal requirements of the School's various policies and procedures such as Health and Safety, Equalities, Data Protection, or any other legal or statutory requirement.
- Serious negligence, which causes or might have caused unacceptable loss, damage or injury.
- Behaviour, which has brought the School or its services into serious disrepute.
- Serious breach of computer security and/or information governance and/or abuse of electronic systems including the misuse of email and/or internet facilities and deliberately attempting to access pornographic, offensive or obscene material.
- Personal misconduct occurring outside of the workplace, including actions which result in the employee being unable to conduct, or unsuitable for, their type of work.
- Serious and sustained insubordination.
- Serious breach of professional codes of conduct/standards.
- Serious misuse of School property or name.

Actions or behaviours that could be construed as gross misconduct may lead the Investigating Officer to conclude that there has been a complete breakdown of trust and confidence between the School and the employee, even where any individual act in itself would not constitute gross misconduct.

It can include convictions for acts committed outside working hours as well as those committed at work and can also result from alleged conduct which is investigated by the criminal law authorities, but does not result in conviction.

Note: Incidences described above would normally result in dismissal without notice. Action short of dismissal may be taken in the event of exceptional mitigating circumstances

Other Misconduct

This is not an exhaustive list of those instances that could be construed as **serious misconduct** sufficiently serious to warrant formal disciplinary action. The list is provided to give examples of the types of behaviour that could be regarded as such and in some cases they may be viewed as gross misconduct.

- Ignoring reasonable requests and instructions given by management
- Persistent lateness, unauthorised absence, failure to follow sickness absence notification procedures.
- Verbal assault or threat of violence in the workplace to fellow employees or other people.
- Negligence in carrying out duties in accordance with relevant policies and procedures.
- Unauthorised use of the school's resources
- Acceptance of gifts and hospitality in contravention of the School's Policy.
- Personal misconduct occurring outside of the workplace, which is deemed sufficiently serious to affect an employee's position at work.
- Inappropriate use of electronic communications, including email or internet access facilities
- Failure to abide by professional codes of conduct/standards
- Discrimination, bullying or harassment

Appendix 3: Agenda for Disciplinary Hearing / Disciplinary Appeal Hearing

1. Chair introduces all parties and explains the process to be followed.

2. The chair establishes control of the meeting and reminds everyone of the requirement for confidentiality.

3. At an appeal hearing the employee explains their grounds of appeal at this point then the hearing continues as below.

4. Opening statement by the investigating officer.

The investigating officer is invited to present the case with reference to the report submitted to the Head/Chair. Pre-arranged witnesses may be called in support of the case who should leave the room after giving evidence and answering questions. Any other supporting evidence will be introduced and explained to the panel – all of which must have been circulated in advance.

5. At the end of the presentation, questions will be asked of the investigator by:

- the employee or their representative. This should not turn into a presentation of the facts as they see them.
- the panel members.

6. Opening statement by the employee or their representative.

The employee or their representative presents the facts as they see them. Pre-arranged witnesses may be called to support their case who should leave the room after giving evidence and answering questions.

7. Questions will be asked by:

- the investigator although this should not turn into a reiteration of the facts as they see them.
- the panel.

8. Summing up by the investigating officer.

The investigator is invited to make any final points.

9. Summing up by the employee.

The employee or their representative is invited to make any final points.

10. Panel members consider the matter.

All parties leave the room except the panel and any adviser working with the panel to take notes and assist with the decision making.

11. After the decision is made, all parties will be recalled for the decision (except witnesses).

The chair of the panel will give the decision and explain the reasoning, point by point if necessary. The employee will be told of their right to appeal the decision to a different panel.

12. The decision will be confirmed in writing, by the chair of the panel, within 5 working days.

13. In the event that further information or clarification is needed at any stage from witnesses or others who have left the meeting, then both parties should return to the meeting before questions are asked. Each party can question or comment upon this additional information.

14. If the facts are disputed the Head/Panel should decide on the balance of probability what version of the facts they accept.

15. If new facts emerge during the presentation of either side which require further investigation, the hearing may have to be adjourned to reconvene when the investigation is completed.

Appendix 4: Making a Decision

In order for the dismissal to be accepted as fair the Panel will need to ensure their action satisfies five cardinal points:

1. Has there been as thorough an investigation as is reasonable in the circumstances?
2. Do the Panel genuinely believe that the employee has committed the misconduct?
3. Have the Panel reasonable grounds on which to sustain that belief?
4. Is the misconduct sufficiently serious to justify the disciplinary decision the Panel are contemplating?
5. Is the decision within the band of reasonable responses of a reasonable employer in the circumstances?

Appendix 5: Managing Appeals

1. Employees have the right of appeal against any formal disciplinary sanction. They must give written notice of their decision to appeal within 10 working days of receipt of the letter confirming the sanction and set out the grounds of appeal.
2. Appeals will be heard at the earliest opportunity and will be heard by an Appeals Panel, in line with the Scheme of Delegation.
3. All parties must submit full documentary evidence to be presented at the hearing together with details of any witnesses they wish to call as soon as possible and no later than 5 working days prior to the Hearing.
4. The chair of the Disciplinary Panel may be requested to attend the Appeal Hearing as a witness in order to explain how the decision was reached, and to answer any questions.
5. The focus of the Appeal Hearing should be the basis of the decision and sanction imposed by the Disciplinary Panel, in addition to the specific grounds of appeal. This will not under normal circumstances require a full re-hearing of the case and consideration of all of the original evidence. The remit of the Appeal Panel is to satisfy itself that the decision taken by the Disciplinary Panel was reasonable in the circumstances and that due process was followed.
6. The outcome of the Appeal Hearing must be confirmed in writing, normally within 5 working days of the date of the hearing.

Format of the appeal

7. Any appeal should clearly state what the employee is appealing against and the grounds for their appeal should not just be that they disagree with the outcome. They will fall usually into one of the following categories:
 - a. That the process of the investigation was unfair.
 - b. That the conduct of the hearing did not follow the agreed procedure.
 - c. That the decision of the hearing did not consider all the facts and/or essential information was ignored.
 - d. That the outcome is unfair in relation to the findings.

Appeal pack to be circulated and considered by the Chair/panel

8. The appeal pack should include:
 - a. all of the pack considered by the original panel
 - b. any papers tabled and accepted on the day of the original hearing.
 - c. the outcome letter and notes of the original hearing
 - d. the letter of appeal with any supporting documents
 - e. a management response to the appeal, if appropriate

Appropriate Process for the Appeal - Limited Appeal or Re-hearing?

9. Once the appeal documentation is received, the Chair of the panel will scrutinise the papers and will decide if a full re-hearing is necessary or a limited appeal can be held to consider the matters that are the subject of the appeal. The employee should be informed in the letter inviting them to the hearing if the hearing will be heard as a limited appeal so that they can prepare. A copy of the same letter should be sent to the investigator.

Limited Appeal

10. Where the focus of the appeal is that either the process of the investigation or the conduct of the hearing are the main points of appeal then a limited appeal will usually be appropriate and in this case the panel will focus on those details. The Chair of the initial hearing will

usually be called as a witness to accompany the investigating officer.

11. The order of the events at the limited appeal will be the same as the re-hearing.

Re-hearing

12. This is likely to be particularly appropriate where the appellant is complaining about the fairness of the decision in all the circumstances or where they state that the panel did not consider all the facts.

13. The employee should understand that an appeal hearing will review the management decision which may mean reviewing the whole case. The hearing will focus on any disputed issues, but it may also cover procedural matters, the fairness of the original decision and the emergence of any new evidence that has come to light since the original hearing and could have affected that decision.

The Appeal Hearing

14. The procedure for the appeal hearing is slightly different to the original hearing - the employee speaks first to explain why they are appealing against the original decision and then the hearing continues in the same format. The procedure is attached at appendix 3.

15. The decision of the chair or panel hearing the appeal may be one of the following:

- a. To reject the appeal, i.e. the original decision was correct. Under these circumstances, the original sanction will stand. Should the original decision have been dismissal, the effective date of termination shall be the date on which the employee was originally dismissed.
- b. It is possible for the chair of the panel to decide to increase the sanction following consideration of substantial new evidence that was not previously available but is now available to the appeal hearing. In this case the new evidence should have been provided in the appeal pack at least 5 working days prior to the hearing to give the employee the chance to respond to it.
- c. To uphold the appeal partially. If the appeal is partially upheld, the original decision may be reduced to a lesser one, e.g. a disciplinary first written warning to a verbal warning.
- d. To fully uphold the appeal, If the appeal is fully upheld, the original decision will be regarded as null and void. The Chair / Panel will recommend the next steps to be taken to implement the decision.

16. In exceptional circumstances, the appeal panel may decide that the hearing should be adjourned pending the investigation of new evidence presented by either side. In such circumstances, an HR professional will advise on the process to be followed.

Appendix 6: Formation of Hearings and Appeals Panels

	Suspension	Investigation	Disciplinary Panel	Appeal Panel
All academy based colleagues except those listed below	HoS / Headteacher/ Exec Head	Person nominated by HoS / Headteacher/ Exec Head	Panel of 3 2 from HoS / HT/ EHT 1 from TB / LGB 1 HR	Panel of 3* 2 from HT/ EHT / HoS/ CFO/ CEO 1 from TB / LGB 1 HR
HoS / Headteacher	Exec Head / CEO	Person nominated by Exec Head / CEO	Panel of 3 2 from EHT /CEO /CFO 1 from TB / LGB 1 HR	Panel of 3* 2 from EHT / CFO / TB 1 LGB 1 HR
Central Team	CEO / CFO	Person nominated by CFO	Panel of 3 2 from CFO/ CEO/ EHT 1 from TB 1 HR	Panel of 3* 2 from CFO/ CEO/ EHT 1 from *TB 1 HR
CFO / Exec Head	CEO	Independent person appointed by CEO	Panel of 3 3 from CEO/ TB 1 HR	Panel of 3* 3 from CEO / TB 1 HR
CEO	Chair of Trust Board	Independent person appointed by Chair of Trust Board	Panel of 3 2 from TB 1 HR	Panel of 3* 2 from TB 1HR

* will **not** have previously been involved in the Disciplinary Panel