

# Disciplinary Policy

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## 1. Definitions

- 1.1 **DEMAT** means the Diocese of Ely Multi-Academy Trust.
- 1.2 **Trust** means the Diocese of Ely Multi-Academy Trust
- 1.3 **Academy** means a constituent academy of DEMAT.
- 1.4 **Central Team** means Staff who are not employed within an Academy.
- 1.5 **Central Leadership Team** means any Director or Head of a Function in the Central Team other than the Director of Education, the COO and the CEO.
- 1.6 **CEO** means the Chief Executive Officer of DEMAT, or any officer or other person exercising relevant authority delegated by the Chief Executive Officer to them.
- 1.7 **Manager** refers to those with line management responsibilities including but not limited to Hub Directors, Head of Department and Headteachers.
- 1.8 **Senior Manager** means a Senior manager within the academies or a Hub Director or Senior Manager within the Central Team, delegated to deal with a disciplinary matter under this policy.
- 1.9 **Staff** means any person employed by DEMAT, temporarily or permanently.
- 1.10 **Employee** means any person employed by DEMAT, temporarily or permanently.
- 1.11 **Headteacher** also refers to any other title used to identify the Headteacher where appropriate.
- 1.12 **Investigating Officer** refers to a senior manager or an external person appointed by the Headteacher or the Trust.
- 1.13 **Representative** means a person chosen by the employee to accompany them, who shall be a trade union representative or a workplace colleague.
- 1.14 **Working days** within the context of this policy means Monday to Friday, excluding Bank Holidays and school closure periods.
- 1.15 **Demotion** may be offered as an alternative to dismissal. This means the employee will be offered a lower graded position on different terms and conditions (with reflective pay and benefits deductions), with continuity of service.
- 1.16 **Re-engagement** may be offered as an alternative to dismissal. The employee will be offered an alternative position within the Trust, which may be on different terms and condition (e.g., an alternative level, at a new location, a new area of work or different hours), with continuity of service.

## 2. Application of this Policy

- 2.1 The policy is applicable to all employees (permanent and temporary) of DEMAT.
- 2.2 The above definitions are included for reference purposes for both School and Central Team staff to enable clarity and transparency when applying this policy.
- 2.3 These rules do not form part of any Contract of Employment or other contract to provide services and we may amend them at any time following consultation with recognised Trade Unions.

## 3. Relationship with DEMAT Values

The application of this policy must be applied at all times in a way that reflects the values of DEMAT and our Christian Ethos:

Love – We engender love and tolerance between and for our staff, pupils and others to foster an inspiring atmosphere of mutual support.

Community – We are committed to ensuring our schools are a living part of the community and contribute positively to its needs.

Respect – We do everything to provide a caring, safe and secure place for our staff and pupils to be happy and respected in our schools so they may achieve their potential.

Trust – We acknowledge accountability and responsibility for our actions and ensure that we encourage each other to make brave decisions and then learn from any mistakes.

Ambition – We are determined that our schools offer a place for the joy of learning, enabling those of all abilities to thrive and go on to lead rewarding lives

## 4. Associated Policies and Documents

- 4.1 This policy should be read in conjunction with Keeping Children Safe in Education (KCSIE) and the DfE Teacher Standards and Headteacher Standards (where relevant) in addition to the following DEMAT Policies/Procedures:

- Safeguarding & Child Protection Policy
- Code of Conduct for All Employees
- Managing Allegations Against Staff
- Low Level Concerns Policy
- Bullying and Harassment Policy
- Grievance Procedure
- Whistleblowing Policy

## 5. Version control

Policy type	DEMAT Trust Policy	
Author	Helen Fisher, HR	
Reviewed by	Helen Rothwell, Head of HR	
Approved by	Personnel Committee Board Meeting	Date: 10 May 2024 Date: 14 June 2024
Release date	1 July 2024	
Review	ANNUAL  <b>May 2025 review no changes</b>  Policies will be reviewed in line with DEMAT's internal policy schedule and/or updated when new legislation comes into force.	
Description of changes	The policy has been reviewed in line with legislation and best practice to provide clarity, greater consistency and support for Line Managers and staff.  For further information regarding the specific changes please contact the HR Team at <a href="mailto:hrteam@demat.org.uk">hrteam@demat.org.uk</a>	

This document will be reviewed on an annual basis. For all questions in relation to this policy please contact the HR Team [hrteam@demat.org.uk](mailto:hrteam@demat.org.uk).

## 6. Purpose and Scope

- 6.1 This Disciplinary Procedure aims to provide employees with clear guidance on acceptable conduct and behaviour(s), along with information about the process which will be followed should there be any concerns regarding misconduct.
- 6.2 It also provides a framework which gives managers the support and structure they require to follow a disciplinary issue through from start to finish.
- 6.3 This policy applies to all employees but where an employee is still in their probationary period, and depending on the circumstances, the probationary policy will normally be followed.
- 6.3 This disciplinary policy addresses issues of gross misconduct and misconduct only. Concerns relating to performance capability will be managed under the Performance Improvement Policy.
- 6.4 This policy is non-contractual and may be amended at any time following consultation with recognised Trade Unions.

## 7 Policy Statement

- 7.1 The Trust is committed to dealing with concerns relating to employee misconduct in a fair and consistent manner.
- 7.2 It is our preference to resolve issues informally where possible and appropriate. Where possible issues will be addressed informally, however, if not possible or appropriate a formal process will be conducted in good faith and without prejudgement.
- 7.3 Steps will be taken to establish the facts and to give employees the opportunity to respond before taking any formal action.
- 7.4 Disability, in line with the Equality Act 2010, and any reasonable adjustments will be considered during all steps of the disciplinary procedure.
- 7.5 It is recognised that employees who are subject to any action under this policy require support which will be provided and monitored throughout the process.
- 7.6 The Trust recognises it is important to develop and promote policies and systems to ensure that our pupils, staff and anyone associated with our Trust are not unlawfully discriminated against and we encourage a commitment to equality, diversity and fair treatment of all. We have therefore considered the impact of this policy, on those individuals with a protected characteristic(s).

## 8 Procedures

### 8.1 Informal Action

- 8.1.1 Managers should seek to resolve minor misconduct informally and as soon as it occurs. Senior Managers or Line Managers may do this by:
  - Arranging a meeting with the employee to discuss the issue(s)
  - Explain why their alleged conduct is not acceptable and discuss and agree what can be done to improve.
- 8.1.2 Whilst this type of meeting is informal, notes may be taken to document the outcome. In certain cases, whereby there is reasonable grounds for belief that the alleged misconduct occurred, a Management Advice Note may be issued by the Senior Manager or Line Manager (See section 8.2 below). Generally, employees would not have a right to representation at an informal meeting; however, in some cases, this may be permitted.
- 8.1.3 For more serious matters, an investigation may be required, and subsequent formal action taken if applicable, as per the guidance in this policy.

### 8.2 Management Advice Notes

- 8.2.1 A Management Advice Note may be given to the employee by a Senior Manager or a Line Manager following incidences involving minor misconduct.

- 8.2.2 A Management Advice Note is a way to record that a Senior Manager or a Line Manager has held a conversation with an employee to reset a particular standard with them regarding their conduct.
- 8.2.3 The Management Advice Note is a supportive measure to outline the expected standards of conduct and will be retained on an employee's file. It will state the reason as to why the note has been issued, as well as the improvements expected and any support that the employee will be offered to help them achieve the standards set.
- 8.2.4 There is no right of appeal against a Management Advice Note issued.
- 8.2.5 Should any recurrences of misconduct occur following the Management Advice Note issue, this may mean that a matter is dealt with through formal action. Reference may be made to the Management Advice Note in any formal investigation as evidence of the employee's understanding of the expected standards of conduct.

### **8.3 Serious Matters, Incidents or Allegations**

- 8.3.1 For more serious matters pertaining to instances of misconduct or gross misconduct (examples of which are listed in the Appendix 1), an investigation will be required to establish whether there is a case and if a disciplinary hearing is appropriate.

### **8.4 Suspension**

- 8.4.1 It may be appropriate to suspend an employee, following a serious incident or allegation. In these circumstances a suspension risk assessment will be completed. Suspension is not a disciplinary sanction and there is no assumption of guilt at this point. Suspension may sometimes be necessary to protect the employee whilst the investigation is undertaken. Suspension will be kept as short as possible and communication with the employee will be maintained throughout to ensure they are supported.
- 8.4.2 We do understand that suspension and formal investigation procedures can be extremely difficult for the employee. We therefore also offer support via our Employee Assistance Programme, who can be contacted using the below:

<https://www.employeeassistance.org.uk/>

Access using the code 'diocese'

24/7 freephone: 0800 328 1437

From outside the UK: +44 (0) 1482 661 814

Minicom: 01482 661 911 (8.30 am – 6.00pm)

8.4.3 An employee who is suspended from work will continue to receive normal contractual pay and should not attend work or contact workplace colleagues, except where permission has been given by a Senior Manager. It is however imperative that the employee feels supported whilst going through the process. A named person will therefore be identified as a point of contact and support

for the employee. The nominated person will not however be able to comment or provide advice with regards the process. For support relating to the process, this should be sought from the employee's representative (Trade Union representative or Work Colleague).

8.4.4 Should an employee be suspended from work during a school holiday period, the Investigating Officer will keep in touch with the employee during this period.

## 8.5 Investigations

8.5.1 An investigation into the incident will take place as soon as possible, to confirm if there is a case to answer. A manager who has not had any prior involvement will be appointed to carry out the investigation, which can include, but is not limited to:

- Holding investigation meetings with other staff members, pupils or anyone involved with or who witnessed the incident.
- Gathering witness statements from other staff members, pupils or anyone involved with or who witnessed the incident.
- Collating and reviewing physical evidence including but not limited to training records, schedules, CCTV, or any other relevant evidence.

8.5.2 Employees will receive reasonable notice in order to attend an investigation meeting and will be invited to the meeting via written notification, which will outline the allegations and their right to representation.

8.5.3 Notes will be taken at investigation meetings and will be shared with the employee following the meeting and witnesses will be asked to confirm they are an accurate reflection of the meeting. If a disciplinary hearing is appropriate, the notes will form the basis of evidence put forward at the disciplinary hearing.

8.5.4 Investigation meetings shall normally be held during those days and hours when the employee would be working,

8.5.5 The outcome of an investigation will be either:

<b>No action</b>	The employee should be informed if this is the case.
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<b>Informal action</b>	For minor breaches. A Management Advice Note should be issued as described in the 'Informal Action' section of this policy.
<b>Formal action</b>	A disciplinary hearing is required.

## **8.6 Formal Action**

- 8.6.1 If, following appropriate investigation by the Investigating Officer, they consider on the facts and/or the balance of probabilities that formal action for misconduct should be considered, a disciplinary hearing will be arranged.
- 8.6.2 The disciplinary hearing panel will be convened in line with the Trust's Scheme of Delegation.
- 8.6.3 Employees will be given 5 working days' notice and will be provided with a written invitation to the hearing, as well as any accompanying documentation and the final investigation report, to be reviewed as part of the disciplinary hearing. Employees will also be advised within this letter about their right to be accompanied at the disciplinary hearing.
- 8.6.4 Where the employee has a representative, an extra copy of this notice, together with any evidence collected as part of the investigation, should be provided for his/her representative.
- 8.6.5 The Investigating Officer may feel it appropriate to call witnesses to the disciplinary hearing to allow the panel and the employee to ask questions. If this is the case, the employee will be notified in the written invitation to hearing this is the case and provide the names of the witnesses.
- 8.6.6 Where the employee is unable to attend a disciplinary hearing for a valid reason, it will be rescheduled within 5 working days. The hearing may be rescheduled once, unless extenuating or exceptional circumstances exist, in which case adjustments or further arrangements may be made. If the employee is unable to attend the rescheduled hearing and extenuating circumstances do not apply, the hearing will be held in the employee's absence.
- 8.6.7 The employee must advise the Disciplinary Chair of the following, at least 3 working days advance of the hearing:
- The name and designation of their Representative
  - Provide any written documentation to be considered if relevant in addition to the investigation evidence gathered.
  - The names of any relevant witnesses whom they wish to call.
  - Any special requirements (e.g., disability, language requirements).
- 8.6.8 During the hearing the employee will be given an opportunity to fully respond to the allegation and the evidence provided.

8.6.9 In some instances, it may be that the Disciplinary Chair requires further investigation to be carried out following the hearing, or that an extended adjournment is required to consider the decision. If this is the case, the Disciplinary Chair will inform the employee and provide written follow up of the decision to adjourn, or the need for further investigation. The adjourned hearing will, unless agreed otherwise with the employee, and depending on the circumstances, be arranged to review any new evidence collected as part of further investigation, or to deliver the outcome to the employee.

## **8.7 Outcomes**

- 8.7.1 The Disciplinary Chair will normally deliver the decision verbally at the conclusion of the hearing, following an adjournment. An outcome letter will also be sent to the employee as soon as possible and usually within 10 working days of the hearing.
- 8.7.2 Possible outcomes from a disciplinary hearing can be found in section 8.7.3. Please refer to Appendix 1 for examples of misconduct and gross misconduct.
- 8.7.3 Please note that any warnings will be removed from the employee's file once expired.

### 8.7.3 Possible outcomes

<b>No action</b>	<b>No further action is considered</b>		
<b>Informal action</b>	<b>Where action is required but not formally. Management Advice Note to be issued.</b>		
<b>Formal action</b>	<b>Where action is required formally. The following sanctions will be considered:</b>	<b>First Written Warning</b>	Misconduct: the employee may or may not have received a Management Advice Note previously. Warning is live for a period of 12 months. Should any recurrences of misconduct occur within the following 1 year from the point at which the First Written Warning is issued, this may result in a further disciplinary hearing, of which the outcome may be a Final Written warning.
		<b>Final Written Warning</b>	Misconduct: the employee already has a first written warning Or Gross Misconduct; a sanction short of dismissal subject to mitigation. Warning is live for a period 24 months. Should any recurrences of misconduct occur within the following 2 years from the point at which the Final Written Warning is issued, this may result in a further disciplinary hearing, of which the outcome may be dismissal.
		<b>Dismissal (procedural)</b>	Misconduct: the employee already has a final written warning. Employee will be entitled to notice or pay in lieu of notice (PILON). <i>Re-engagement or demotion may be offered as an alternative to dismissal in certain cases.</i>
		<b>Summary dismissal</b>	Gross misconduct: employee is not entitled to notice or pay in lieu. <i>Re-engagement or demotion may be offered as an alternative to dismissal in certain cases.</i>
		<b>Demotion or transfer</b>	Misconduct or Gross Misconduct; if the same incident would not occur in an alternative role.

## 8.8 Right of Appeal

- 8.8.1 The employee has a right of appeal against a decision to issue a warning or to dismiss, which should be submitted in writing within 10 working days of the date on the outcome letter, stating the grounds of their appeal.
- 8.8.2 Details of to whom appeals should be directed to will be included in the disciplinary outcome letter.
- 8.8.3 The Appeal Panel will be convened in line with the Trust's Scheme of Delegation and, in normal circumstances, within 20 working days after receipt of the appeal. Employees will be invited to an appeal hearing via written notification.
- 8.8.4 The appeal hearing will focus on the grounds of appeal and is not an opportunity for re-hearing the case except in circumstances where new and significant evidence in which case it may be appropriate to hold a re-hearing.
- 8.8.5 There are two possible outcomes of the appeal process:

<b>Uphold</b>	The appeals manager agrees with the original findings and the initial decision taken will remain
<b>Overturn</b>	The appeals manager does not agree with a decision, and they overturn it with an appropriate alternative.

- 8.8.6 If the Appeal Panel overturns a decision to dismiss the employee (either summarily or procedural), the employee may be:

<b>Reinstated</b>	The employee will go back into the position they held at the time they were dismissed, on the same terms and conditions, with continuity of service.
<b>Re-engaged</b>	The employee will be offered an alternative position within the Trust, which may be on different terms and conditions (e.g., an alternative level, at a new location, a new area of work or different hours), with continuity of service.
<b>Demoted</b>	The employee will be offered a lower graded position on different terms and conditions (with reflective pay and benefits deductions), with continuity of service.

- 8.8.7 The outcome will be confirmed in writing within 10 working days of the hearing. The Panel's decision is final and there is no further right of appeal.

## **8.9 Trade Union Representatives**

- 8.9.1 Where disciplinary action is being considered against an employee who is a trade union representative, the normal disciplinary procedure should be followed. Depending on the circumstances, it is advisable to discuss the matter at an early stage with an official employed by the union, after obtaining the employee's agreement.

## **9 Confidentiality**

- 9.1 All employees subject to disciplinary investigations or proceedings must treat any information communicated to them in connection with an investigation or disciplinary matter as confidential, aside from communication with a chosen union representative or workplace colleague.
- 9.2 Any witness involved in a disciplinary matter must also treat any information disclosed and discussed as confidential. This includes any matter that is being investigated.
- 9.3 Should there be a breach of confidentiality in any disciplinary procedure, it may result in disciplinary action being taken.

## **10 Criminal Charges**

- 10.1 Where your conduct is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action. The Trust is not obliged to wait for the outcome of any criminal prosecution before deciding what action, if any, to take.

## **11. Agreed Outcome**

- 11.1 If, following initial fact finding or at the end of an investigation into a potential disciplinary issue, the employee accepts all the allegations made against them, the Trust may consider an 'Agreed Outcome' as an alternative to proceeding to a disciplinary hearing. Agreed Outcomes cannot be considered for allegations of gross misconduct or safeguarding matters which must follow the normal disciplinary process.
- 11.2 Where the facts of the allegation(s) are not in dispute, the employee accepts responsibility, and the level of sanction is in line with the allegations an agreed outcome may be drawn up. This is subject to both parties being agreeable to the process and the agreed sanction. It is also on the basis that the Agreed Outcome is not subject to an appeal. If the Trust, the employee or representative is unhappy with a proposal of an agreed outcome, then the normal disciplinary process will be followed.

- 11.3 Where an agreed outcome is an acceptable way forward for both parties the relevant Manager with the authority to issue disciplinary sanctions must consider all information relevant to the allegation(s) and/or complaint(s) alongside the case put forward by the employee and must agree the proposal and terms of the agreed outcome.
- 11.4 Once the Manager has considered the information and evidence, they will write to the employee confirming the sanction and reasons for this. The employee will be presented with the following options:
- To agree to accept the sanction (agreed outcome) which will remain active on file for the same period as outlined in section 8.7.3 above without the need for a formal disciplinary hearing.
- Or
- A full formal disciplinary investigation/hearing will be arranged which is the employee's right under the Trust's disciplinary policy.
- 11.6 The employee will be asked to confirm their acceptance within 3 working days of receipt of the letter confirming the agreed outcome/sanction. In the absence of the agreed outcome being accepted the matter will proceed as usual under this procedure and no reference will be made by DEMAT to any agreed outcome requested or offered at any future disciplinary hearing.
- 11.7 The disciplinary sanction issued, and accepted by the employee, will have the same status as those obtained via a hearing, except that there will be no right of appeal. The decision is final and there should not be a later referral to a disciplinary hearing or appeal on this issue.
- 11.8 All relevant documentation must be retained in the usual manner on the employee's file, with copies sent to Human Resources and the Trade Union/Professional Association representative.

## 12. Reporting requirements

- 12.1 We have a legal duty to refer an employee to the DBS where we have withdrawn permission for an employee to engage in regulated activity with children (this includes situations when we would have taken this action, but the person was re-deployed, resigned, retired, or left) and where they have:
- engaged in relevant conduct in relation to children and/or adults. An action or inaction has harmed a child or put them at risk or harm or;
  - satisfied the harm test in relation to children and / or vulnerable adults. eg there has been no relevant conduct but a risk of harm to a child still exists.
- or
- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence.

- 2.2 We will also need to make a referral to the Local Authority Designated Officer (LADO) where there are safeguarding concerns/allegations. This does not remove the requirement for us to also inform DBS in the circumstances outlined in section 12.1 above.
- 2.3 Where we investigate an allegation following referral to LADO, we are required under KCSIE to determine the outcome of the allegation as defined below:
- Substantiated: there is sufficient evidence to prove the allegation
  - Malicious: there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive or cause harm to the person subject of the allegation
  - False: there is sufficient evidence to disprove the allegation
  - Unsubstantiated: there is insufficient evidence to either prove or disprove the allegation. The term, therefore, does not imply guilt or innocence, or
  - Unfounded: to reflect cases where there is no evidence or proper basis which supports the allegation being made.
- 12.3 In cases of serious misconduct relating to a teacher we may make a referral to the Teaching Regulation Agency (TRA).

## Appendix 1

### DISCIPLINARY RULES

#### 1. Policy statement

- 1.1 These Disciplinary Rules should be read in conjunction with our Disciplinary Policy. The purpose of the Disciplinary Rules and Disciplinary Policy is to set out the standards of conduct expected of all staff and to provide a framework within which managers can work with staff to maintain those standards and encourage improvement where necessary. Any disciplinary matter will be dealt with fairly and in accordance with the Disciplinary Policy.
- 1.2 These rules have been agreed with recognised Trade Unions.
- 1.3 These rules do not form part of any Contract of Employment or other contract to provide services and we may amend them at any time following consultation with recognised Trade Unions.

#### 2. Who is responsible for these rules?

- 2.1 The Trustees (the **Board**) has overall responsibility for the effective operation of these rules but has delegated responsibility for overseeing their implementation to Academy and Trust Leaders.
- 2.2 Line managers have day-to-day responsibility for these rules and you should refer any questions about these rules to them in the first instance.
- 2.3 These rules are reviewed annually by the HR Department.

#### 3. Rules of conduct

- 3.1 While working for us you should at all times maintain professional and responsible standards of conduct. In particular you should:
  - (a) Observe the terms and conditions of your contract, particularly with regard to:
    - (i) hours of work;
    - (ii) confidentiality;
    - (iii) information security; and
    - (iv) safeguarding.
  - (b) Ensure that you understand and follow our Code of Conduct is available on the Trust website <https://www.demat.org.uk/policies>
  - (c) Observe all our policies, procedures, rules and regulations, whether included in the policies on our website or notified to you from time to time by means of notice boards, email, via smartlog, Bromcom or otherwise.



- (d) Take reasonable care in respect of the health and safety of colleagues and third parties and comply with our Health and Safety Policy.
  - (e) Comply with all reasonable instructions given by managers.
  - (f) Act at all times in good faith and in the best interests of the Trust, our children, communities and staff.
- 3.2 Failure to maintain satisfactory standards of conduct may result in action being taken under our Disciplinary Policy.

#### **4. Misconduct**

The following are examples of matters that will normally be regarded as misconduct and will be dealt with under our Disciplinary Policy:

- (a) Minor breaches of our policies and/or code of conduct.
- (b) Safeguarding breaches (this may also fall under Gross Misconduct below).
- (c) Minor breaches of your Contract of Employment.
- (d) Damage to, or unauthorised use of, our property.
- (e) Obscene language or other offensive behaviour.
- (f) Poor timekeeping.
- (g) Time wasting, including but not limited to when working from home or as part of a hybrid working arrangement.
- (h) Unauthorised absence from work/absence without leave.
- (i) Working from home contrary to the terms of your Contract of Employment and without the prior written approval from your line manager.
- (j) Refusal to follow reasonable instructions.
- (k) Excessive use of our telephones or other information and communication systems for personal calls and messages.
- (l) Excessive personal email or internet usage.
- (m) Failure to provide completed time sheets or comply with other instructions, whether in writing or otherwise, or requirements to account for your working time and activities, including but not limited to in respect of time spent working from home or as part of a hybrid working arrangement.
- (n) Failure to attend the workplace or other reasonably accessible location for meetings, training courses or other events.
- (o) Negligence in the performance of your duties.

- (p) Smoking in no-smoking areas.
- (q) Vaping on/in Trust premises and/or buildings.
- (r) Failure to comply with any reasonable instructions or measures that we implement in response to an emergency or other critical situation.
- (s) Breach of Trust Values

This list is intended as a guide and is not exhaustive.

## **5. Gross misconduct**

5.1 Gross misconduct is a serious breach of contract and includes misconduct which, in our opinion, is likely to prejudice our business or reputation or irreparably damage the working relationship and trust between us. This may include misconduct committed outside of work. Gross misconduct will be dealt with under our Disciplinary Procedure and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).

5.2 The following are examples of matters that are normally regarded as gross misconduct:

- a) Behaviour that has or may have harmed a child or behaviour towards a child or children that indicates you would pose a risk of harm to children.
- b) Sexual behaviour towards or relations with a pupil.
- c) Criminal offences related to or against a child.
- d) Inappropriate conduct towards a child.
- e) Inappropriate physical contact with a child.
- f) Using inappropriate force towards a child.
- g) Inappropriate relationships with pupils or any other actions that would be classed as a serious safeguarding issue.
- h) Failure to implement, monitor and/or follow safeguarding procedures.
- i) Sexual misconduct, whether at work or not, and whether criminal or not.
- j) Actual or threatened violence, or behaviour which provokes violence, and bullying.
- k) Engaging in inappropriate conversations and behaviour which could cause offence including banter and horseplay.
- l) Inappropriate behaviour towards other people whether members of the public, partner organisations, parents, contractors, Trustees or other employees. For example, adopting a persistently uncooperative or unhelpful attitude or demonstrating rudeness, verbal abuse and/or abusive behaviour.

m) Bullying and/or harassment including physical, verbal or non-verbal, and persistent behaviour that may occur at work or outside work and/or online. This includes bullying

and harassment by staff, leaders, Trust Board Directors, governors, and volunteers and also by third parties such as suppliers or visitors, including parents

- n) Unsafe storage of personal property such as medications, including smoking cessation aids.
- o) Theft or unauthorised removal of our property or the property of a colleague, contractor, pupil, parent or member of the public.
- p) Fraud, forgery or other dishonesty, including fabrication of expense claims or time sheets, or falsifying assessments and/or national curriculum tests.
- q) Deliberate damage to our buildings, fittings, property or equipment, or the property of a colleague, contractor, student, parent or member of the public.
- r) Serious misuse of our property or name.
- s) Making electronic recordings of any meetings or hearings without consent of the individuals that are being recorded, whether these meetings or hearings are conducted in person, by telephone, or using remote working platforms or technologies.
- t) Deliberately accessing internet sites containing pornographic, offensive or obscene material.
- u) Repeated or serious failure to obey instructions, or any other serious act of insubordination.
- v) Unlawful discrimination (indirect and/or direct), harassment or victimisation.
- w) Bringing the organisation into serious disrepute
- x) Being under the influence of alcohol, illegal drugs or other substances during working hours or whilst representing DEMAT and/or an academy?
- y) Causing loss, damage or injury through serious negligence.
- z) Serious or repeated breach of health and safety rules or serious misuse of safety equipment.
- aa) Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure.
- bb) Accepting or offering a bribe or other secret payment.
- cc) Accepting a gift from a customer, supplier, contractor or other third party in connection with your employment without prior consent from your line manager.
- dd) Conviction for a criminal offence that in our opinion may affect our reputation or our relationships with our staff, pupils or the public, or otherwise affects your suitability to continue to work for us.

- ee) Possession, use, supply or attempted supply of illegal drugs.
- ff) Serious neglect of duties, or a serious or deliberate breach of your contract or our procedures.
- gg) Working from abroad without our prior written approval and satisfaction of any relevant requirements (including but not limited to any applicable immigration requirements) or failing to return to the UK and your normal place of work in accordance with any agreed overseas working arrangement.
- hh) Repeatedly working from home contrary to the terms of your employment contract and without the prior written approval of your line manager.
- ii) Knowing breach of statutory rules affecting your work.
- jj) Unauthorised use, processing or disclosure of personal data contrary to our Data Protection Policy.
- kk) Refusal to disclose any of the information required by your employment or any other information that may have a bearing on the performance of your duties.
- ll) Giving false information regarding qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits.
- mm) Repeatedly or seriously failing to comply with any reasonable instructions or measures that we implement in response to an emergency or other critical situation.
- nn) Failing to work your contractual hours while working from home or as part of a hybrid working arrangement or giving false or misleading information relating to your hours of work and activities while working from home.
- oo) Knowingly taking parental, shared parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child.
- pp) Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith.
- qq) Making untrue allegations in bad faith against a colleague.
- rr) Victimising a colleague who has raised concerns, made a complaint or given evidence or information under our Whistleblowing Policy, Anti-corruption and Bribery Policy, Bullying and Harassment Policy, Grievance Policy, Disciplinary Procedure or other DEMAT policy.
- ss) Serious misuse of our information technology systems (including misuse of developed or licensed software, use of unauthorised software and misuse of email and the internet).
- oo) Undertaking unauthorised paid or unpaid work during your working hours with us.
- pp) Unauthorised entry into an area of the premises to which access is prohibited.

**This list is intended as a guide and is not exhaustive.**

