

## Heart Teaching LTD Disciplinary, Dismissal, and Grievance Procedure

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10. Purpose This policy provides a structured framework for addressing:
  - Alleged misconduct, breaches of policy, or unacceptable behaviour by employees or candidates.
  - Serious concerns that may lead to dismissal.
  - Employee grievances or disputes regarding conditions, treatment, or policies.

The procedure ensures fairness, transparency, and compliance with employment law, safeguarding responsibilities, and organisational values, including those outlined in Heart Teaching Employee Code of Conduct 2026, Safer Recruitment Policy 2026, Complaints Policy 2026, and Allegations Policy 2026.

2. Scope This policy applies to:
  - All Heart Teaching LTD employees, contractors, temporary staff, and volunteers.
  - Candidates placed by Heart Teaching LTD.

It does not replace statutory rights or legal obligations under employment law but complements them by providing clear organisational procedures.

### 3. Principles Heart Teaching LTD is committed to:

- Treating all staff fairly, consistently, and respectfully.
- Ensuring all investigations are thorough, impartial, and confidential.
- Supporting employees and candidates throughout investigations and disciplinary processes.
- Complying with relevant UK legislation, including Employment Rights Act 1996, Employment Act 2008, Data Protection Act 2018, and safeguarding requirements under KCSIE 2025.

### 4. Grievance Procedure

**4.1 Purpose** The grievance procedure allows employees to raise concerns about: - Terms and conditions of employment. - Treatment by colleagues, candidates, clients, or management. - Policies, procedures, or working practices.

**4.2 Informal Resolution** - Employees are encouraged to raise concerns informally with their line manager or HR representative. - Line managers should seek to resolve the issue quickly and fairly. - Outcomes and actions should be documented and retained confidentially.

**4.3 Formal Grievance** - If informal resolution is unsuccessful, employees may submit a formal grievance in writing to HR or a director. - The written grievance should include: - Details of the concern. - Relevant dates, incidents, or parties involved. - Desired outcomes or resolution.

**4.4 Grievance Meeting** - HR or a director will convene a meeting within 10 working days of receiving the grievance. - The employee may be accompanied by a trade union representative or colleague. - Notes will be taken and shared with the employee after the meeting.

**4.5 Outcome and Appeal** - A decision will be communicated in writing, including actions to resolve the grievance. - Employees may appeal in writing within 5 working days if dissatisfied. - An appeal hearing will be conducted by a senior director not involved in the original decision.

### 5. Disciplinary Procedure

**5.1 Purpose** The disciplinary procedure addresses behaviour or performance that does not meet Heart Teaching LTD standards, including breaches of: - Employee Code of Conduct - Safeguarding requirements - Health and safety obligations

**5.2 Informal Action** - Minor issues may be resolved informally through feedback, coaching, or additional training. - A record of informal action will be retained for reference but is not part of formal disciplinary records.

### 5.3 Formal Disciplinary Process

Stage 1 – Investigation - HR or a director conducts a thorough investigation, gathering statements, evidence, and relevant documents. - Investigations must respect confidentiality and safeguard children/adults at risk in line with KCSIE 2025 and safeguarding legislation.

Stage 2 – Disciplinary Hearing - A hearing is arranged with the employee and HR/director. - Employees may be accompanied by a union representative or colleague. - The hearing allows the employee to respond to allegations and present evidence.

Stage 3 – Decision - After the hearing, a decision is made based on the evidence and in line with Heart Teaching LTD policies. - Possible outcomes: - Written warning - Final written warning - Dismissal (with notice, unless gross misconduct) - Training or performance improvement plan

Stage 4 – Appeal - Employees may appeal in writing within 5 working days. - Appeals are heard by a senior director not involved in the original hearing. - The appeal decision is final.

## 6. Dismissal

6.1 Grounds for Dismissal Dismissal may result from: - Gross misconduct (e.g., safeguarding breaches, fraud, violence, harassment). - Continued failure to meet performance standards despite support and warnings. - Breach of legal or statutory obligations.

6.2 Process - Dismissal follows a formal investigation and disciplinary hearing. - Written notice is provided outlining reasons for dismissal and notice period (unless gross misconduct). - Employees have the right to appeal.

6.3 Safeguarding Considerations - If dismissal involves safeguarding concerns, referrals to DBS, TRA, or relevant authorities will be made as required by law. - Records are retained securely following Heart Teaching LTD's Data Retention Policy.

## 7. Record-Keeping

- All records related to disciplinary, grievance, or dismissal procedures are confidential.
- Records include investigation notes, meeting minutes, written decisions, and correspondence.
- Records are retained in accordance with Heart Teaching LTD's Data Retention Policy and legal requirements.

## 8. Responsibilities

Directors and HR - Ensure procedures are followed fairly and consistently. - Maintain confidentiality and safeguard children/adults at risk. - Provide support to employees and candidates.

## **Disciplinary, Dismissal, and Grievance Procedure**

Employees and Candidates - Cooperate with investigations and hearings. - Act honestly and transparently when raising concerns or responding to allegations.

### **9. References**

- Employment Rights Act 1996
- Employment Act 2008
- Data Protection Act 2018
- Keeping Children Safe in Education 2025 (KCSIE)
- Working Together to Safeguard Children 2023
- Heart Teaching LTD Employee Code of Conduct 2026
- Heart Teaching LTD Safeguarding Policies