

## SPTA Disciplinary Policy

### Key points

- Disciplinary matters should be dealt with at the lowest possible level appropriate to the disciplinary matter under investigation
- Issues should be raised and dealt with promptly
- The employee must be informed of the complaint/allegation against them and provided with relevant information as appropriate
- The policy is primarily designed to encourage employees to improve not just to punish
- The employee should be provided with the opportunity to state their case before any decision is reached
- Any action taken must be reasonable in the circumstances of the case
- The employee should be informed of the standards of behaviour required and the conduct expected of them
- Provision must be made for any reasonable adjustments to accommodate the needs of individuals attending any meetings / hearing throughout this policy
- The employee will have the right to appeal any formal disciplinary sanction
- The employee has the right to be accompanied to any meeting within this policy by a trade union representative or work colleague
- The Hearing Officer (Principal / Senior Leader, or delegate) should not have had any prior involvement in the investigation leading up to the disciplinary hearing
- Any appeal hearing should not involve people previously involved in the investigation or disciplinary hearing
- If the employee is persistently unable or unwilling to attend a disciplinary hearing (without good cause) the matter will be heard in their absence and a decision made based on all the evidence available
- Ensuring confidentiality throughout the process is vital in order to avoid jeopardising any investigation and potential action

### Process overview

- Informal resolution where possible
- Formal process
  - Issue can't be dealt with informally
  - Employee has a previous warning for similar conduct
  - Allegation is of a child protection concern
- Suspension
  - SPTA HR must be consulted prior to any suspension
  - Always with full pay pending the outcome of an investigation and/or disciplinary hearing
  - Interview with employee should take place asap
- Investigation
  - Investigation Officer is appointed and will be supported by SPTA HR
  - Establish facts of the case (e.g. statements, interviews, documents, etc)
  - Decide if no action should be taken or if a disciplinary hearing should be convened
  - Employees signposted to Care First for support where appropriate
- Disciplinary hearing
  - Investigating officer and employee have the opportunity to put their cases forward to the hearing officer (Principal / Senior Leader or delegate)
  - Hearing officer has the opportunity to question in order to establish the facts
  - Adjournment for the panel to consider the evidence presented
  - Reconvene for the decision
- Possible sanctions
  - No action; first warning; written warning; final written warning; dismissal
- Appeals
  - Ten working days from hearing date to lodge an appeal
  - Appeal panel consists of 2 SPTA Directors supported by SPTA HR
  - Outcome can be to confirm the original decision; uphold the grounds of the appeal; or substitute a lesser penalty