St John Henry Newman

Catholic Primary School

Staff Disciplinary and Grievance

Approved: September 2026

Next Review Date: September 2028

1. Introduction

St John Henry Newman Catholic Primary School is committed to maintaining a workplace in which all staff are treated fairly, consistently, respectfully and with dignity.

The school recognises that effective employment relationships depend on clear expectations, open communication, appropriate support and fair processes when concerns arise.

This policy establishes the school's procedures for:

- dealing with concerns about staff conduct and discipline;
- allowing staff to raise grievances about matters relating to their employment;
- resolving concerns informally wherever appropriate;
- ensuring that formal procedures are fair, proportionate and transparent;
- providing appropriate opportunities for staff to respond to concerns;
- providing a right of appeal against formal decisions; and
- ensuring appropriate consideration of safeguarding, equality and employment law.

The policy applies to all employees of St John Henry Newman Catholic Primary School.

The school will seek to resolve matters at the lowest appropriate level and without unnecessary escalation. Formal procedures will, however, be used where informal resolution is inappropriate, unsuccessful or where the seriousness of the matter requires formal action.

2. Legal and professional framework

This policy has regard to:

- School Staffing (England) Regulations 2009;
- Education Act 2002;
- Employment Rights Act 1996;
- Employment Relations Act 1999;
- Employment Act 2002;
- Employment Relations Act 2004;
- Equality Act 2010;
- Trade Union and Labour Relations (Consolidation) Act 1992;
- Health and Safety at Work etc. Act 1974;
- UK General Data Protection Regulation;
- Data Protection Act 2018, as amended;
- Keeping Children Safe in Education 2026;
- Teachers' Standards;
- Department for Education Staffing and Employment: Guidance for Schools;
- ACAS Code of Practice on Disciplinary and Grievance Procedures; and
- other relevant statutory requirements and employment law.

The Governing Body is required to establish procedures for the regulation of staff conduct and discipline and for staff to seek redress for grievances relating to their work.

The Governing Body is responsible for approving the school's disciplinary and grievance procedures. The implementation of individual matters may be delegated in accordance with the School Staffing (England) Regulations 2009 and the school's agreed scheme of delegation.

3. StJHN principles

All disciplinary and grievance matters will be approached in a way that reflects the school's Catholic mission, including respect for the dignity of each person, compassion, honesty, justice, reconciliation and the common good.

The school will:

- act fairly and consistently;
- address concerns promptly;
- investigate matters appropriately;
- distinguish allegation from established fact;
- give individuals a proper opportunity to respond;
- avoid unnecessary formality where informal resolution is appropriate;
- maintain confidentiality;
- make reasonable adjustments where required;
- avoid discrimination, victimisation or retaliation;
- consider safeguarding at all times;
- support constructive working relationships;
- use proportionate responses; and
- provide a right of appeal against formal decisions.

No employee will be disadvantaged for raising a genuine grievance or participating appropriately in a disciplinary or grievance process.

4. Scope of this policy

This policy deals with **conduct and grievances**.

It does not normally apply to:

- capability or persistent underperformance;
- teacher appraisal;
- ECT induction;
- sickness absence or ill health;
- redundancy;
- changes to contractual terms as part of a formal organisational process;

- whistleblowing;
- safeguarding allegations against staff;
- complaints made by parents or members of the public; or
- allegations involving criminal conduct where a separate statutory or safeguarding process applies.

These matters will normally be dealt with under the appropriate school policy or procedure.

Where more than one procedure may apply, the school will determine the most appropriate route and may use procedures concurrently where this is reasonable.

5. Informal resolution

The school believes that most workplace concerns are best resolved promptly and informally where possible.

Informal action might include:

- a private conversation;
- clarification of expectations;
- advice or guidance;
- additional support;
- facilitated discussion;
- mediation;
- coaching;
- agreed actions; or
- a reminder of school policies or professional expectations.

Informal action is not normally part of an employee's formal disciplinary record.

A manager should make clear when a conversation is informal and when a matter may be progressing into the formal disciplinary procedure.

Informal action must not be used to avoid the employee's right to a formal process where formal action is warranted.

Acas recommends attempting early resolution where appropriate but recognises that some matters are too serious for informal handling.

6. Right to be accompanied

Employees have a statutory right to be accompanied at formal disciplinary and grievance hearings, including appeals, by:

- a fellow worker;
- an appropriate trade union official; or
- a certified trade union representative.

The school will also normally permit employees to be accompanied at meetings within these procedures which are intended to address a potential disciplinary matter, including informal disciplinary meetings, unless there is a clear and proportionate reason not to do so.

The companion may:

- put forward the employee's case;
- sum up the employee's case;
- respond on the employee's behalf to views expressed at the hearing; and
- confer privately with the employee.

The companion may not:

- answer questions on the employee's behalf;
- prevent other participants from contributing;
- prevent the school from explaining its case; or
- act in a way which disrupts the hearing.

Where the chosen companion is unavailable, the employee may request a reasonable alternative date. The school will normally postpone the hearing where required by law and where the alternative date is reasonable.

The statutory right to be accompanied arises under section 10 of the Employment Relations Act 1999.

7. Trade union representatives

The school recognises the important role of recognised trade unions and will work constructively with appropriate trade union representatives.

Where disciplinary action is being considered against an employee who is a trade union representative, the school will follow the normal procedure but will consider consulting an appropriate union official at an early stage, with the employee's agreement where appropriate.

The involvement of a trade union representative does not prevent the school from managing a matter fairly and promptly.

8. Confidentiality

All parties must maintain appropriate confidentiality.

Information will only be shared with individuals who have a legitimate need to know, taking account of:

- data protection;
- safeguarding;
- employment law;
- natural justice; and
- the need to investigate or determine the matter properly.

Confidentiality does not prevent the school from sharing information where there is a legal, safeguarding or other legitimate requirement.

Employees and representatives must not circulate confidential papers, correspondence or evidence relating to a disciplinary or grievance matter beyond those who are properly involved.

PART A – STAFF DISCIPLINE

9. Purpose of the disciplinary procedure

The purpose of the disciplinary procedure is to:

- maintain appropriate standards of conduct;
- encourage employees to meet those standards;
- provide support and opportunity for improvement;
- establish the facts fairly;
- deal consistently with misconduct;
- provide an appropriate route for formal action where necessary; and
- protect the interests of pupils, staff and the wider school community.

The primary purpose of disciplinary action will normally be corrective rather than punitive.

10. Standards of conduct

Employees are expected to comply with:

- their contract of employment;
- school policies and procedures;
- reasonable management instructions;
- safeguarding requirements;
- health and safety requirements;
- professional standards applicable to their role;
- the Staff Code of Conduct;
- confidentiality and data protection requirements;
- equality and dignity at work requirements; and
- the values and Catholic ethos of St John Henry Newman Catholic Primary School.

For teachers, the Teachers' Standards provide the statutory baseline for professional practice and conduct.

Staff are also expected to uphold professional boundaries and act in a manner consistent with the safeguarding responsibilities of the school.

11. Misconduct

Misconduct means behaviour which falls below the standards reasonably expected of an employee or which breaches an employment requirement, school policy, professional standard or lawful management instruction.

Examples may include:

- repeated lateness or unauthorised absence;
- failure to follow reasonable management instructions;
- inappropriate conduct towards pupils, parents, colleagues or visitors;

- inappropriate use of school property or systems;
- failure to follow school procedures;
- breach of confidentiality;
- inappropriate use of social media;
- failure to comply with health and safety procedures;
- inappropriate professional boundaries;
- unacceptable conduct towards colleagues;
- inappropriate language or behaviour;
- failure to maintain required professional standards; or
- other conduct which reasonably gives rise to concern.

The list is illustrative and is not exhaustive.

12. Gross misconduct

Gross misconduct is misconduct of such seriousness that it may fundamentally undermine the employment relationship or make continued employment potentially untenable.

Examples may include:

- serious abuse or mistreatment of a pupil;
- serious safeguarding breaches;
- serious violence or threats of violence;
- serious harassment, discrimination or victimisation;
- theft, fraud or deliberate financial dishonesty;
- deliberate falsification of records;
- serious misuse of school property or information systems;
- serious breaches of confidentiality or data protection;
- serious or deliberate health and safety breaches;
- serious insubordination;
- serious breaches of professional boundaries;
- serious dishonesty;
- working while unlawfully under the influence of alcohol or drugs where this creates serious risk;
- serious criminal conduct relevant to employment;
- deliberate damage to school property; or
- other conduct of comparable seriousness.

This list is illustrative.

Gross misconduct may justify dismissal without notice for a first offence, but only following a fair disciplinary procedure.

Acas confirms that gross misconduct may justify dismissal without notice for a first offence where the conduct is sufficiently serious, but a fair process should still be followed.

13. Concerns about safeguarding or allegations against staff

Where a concern or allegation relates to the safety or welfare of a child, the school's safeguarding procedures will take precedence.

All staff must report safeguarding concerns immediately in accordance with the school's Safeguarding and Child Protection Policy.

This includes concerns about:

- teachers;
- support staff;
- supply staff;
- volunteers;
- contractors;
- trainees;
- governors; and
- other adults working in or for the school.

Where an allegation meets the relevant safeguarding threshold, the school will follow the procedures involving the Designated Safeguarding Lead, Local Authority Designated Officer (LADO), police or other agencies as appropriate.

KCSIE 2026 specifically requires concerns and allegations about staff and other adults working in schools to be managed through the school's safeguarding procedures.

A safeguarding investigation and a disciplinary process may be related but are not necessarily the same process. The school will obtain appropriate advice before taking disciplinary action where safeguarding agencies are involved.

14. Allegations of criminal conduct

Where conduct may constitute a criminal offence, the school may need to involve the police or another statutory agency.

A criminal investigation does not automatically prevent the school from conducting its own employment investigation.

The school will consider:

- the nature of the alleged conduct;
- any risk to pupils or staff;
- safeguarding considerations;
- the effect on the employee's duties;
- whether an employment investigation could prejudice another investigation; and
- advice from appropriate professional agencies.

An employee will not be treated as having committed misconduct solely because they have been accused or charged with a criminal offence.

The employment implications of the alleged conduct will be considered separately and fairly.

15. Preliminary consideration

When a concern about an employee is raised, the relevant manager will consider:

- what has been alleged;
- whether there is sufficient information to establish a concern;
- whether the issue can be addressed informally;
- whether another school procedure is more appropriate;
- whether immediate safeguarding action is required;
- whether temporary risk-management measures are necessary;
- whether an investigation is required; and
- who should manage the matter.

The decision to commence formal disciplinary proceedings will be made by an appropriately authorised manager.

16. Investigation

Where formal disciplinary action may be appropriate, the school will normally undertake an investigation.

The investigation will seek to establish the facts rather than assume that an allegation is true or false.

The investigating officer should:

- be appropriately senior;
- be sufficiently independent of the matter;
- have appropriate knowledge or training;
- identify the allegations clearly;
- gather relevant evidence;
- interview relevant witnesses;
- give the employee an opportunity to provide their account;
- maintain appropriate records;
- consider relevant policies and documentation; and
- prepare a clear investigation report.

Investigations should begin and progress without unreasonable delay.

The NEU model identifies a thorough investigation, a written report and supporting evidence as important elements of a fair procedure.

The school will normally aim to complete an investigation within **20 working days** of the investigating officer beginning their work.

This is a target rather than an absolute deadline. Complex investigations may require additional time, particularly where:

- multiple witnesses are involved;
- safeguarding agencies are involved;
- the employee or witnesses are absent;
- external evidence is required;
- a criminal investigation is taking place; or
- new evidence emerges.

Where an investigation is likely to exceed the target, the employee will normally be informed.

17. Investigation meetings

An investigation meeting is not normally a disciplinary hearing.

The employee will normally be given an opportunity to explain their account and identify relevant evidence or witnesses.

The school may allow the employee to be accompanied at an investigation meeting, particularly where this is part of the school's agreed procedure or where the circumstances make this appropriate.

The school will not normally make a disciplinary finding during an investigation meeting.

18. Suspension

Suspension is a neutral precautionary measure and is not itself a disciplinary sanction.

Suspension will only be considered where it is necessary and proportionate.

It may be appropriate where, for example:

- there is a serious safeguarding concern;
- there is a risk to pupils, staff or others;
- evidence could be compromised;
- there is a serious risk of interference with witnesses;
- the employee's presence could materially affect an investigation;
- there is a serious risk to school property or systems; or
- another exceptional circumstance makes temporary removal from duties necessary.

Alternative measures should be considered wherever reasonably practicable.

Any suspension will normally be on full contractual pay and will be reviewed regularly.

The school's separate **Suspensions and Permanent Exclusions Policy** concerns pupils and does not apply to staff suspension. Staff suspension will be managed under this policy and the school's employment procedures.

19. Decision to proceed to a disciplinary hearing

Following an investigation, the authorised manager will decide whether:

- no further action is required;
- informal action is appropriate;

- further investigation is required;
- another school procedure is more appropriate; or
- there is a case to answer under the formal disciplinary procedure.

The employee will be informed of the outcome of this stage.

Where the matter proceeds to a disciplinary hearing, the employee will receive sufficient written information to understand:

- the allegations;
- the evidence on which the concerns are based;
- the possible consequences if the allegations are upheld;
- the date, time and location of the hearing; and
- their right to be accompanied.

20. Disciplinary hearing

The disciplinary hearing will be chaired by a person with appropriate authority who has not been directly involved in the investigation, wherever practicable.

The investigating officer will normally present the case.

The employee will have a full opportunity to:

- respond to the allegations;
- explain their position;
- challenge relevant evidence;
- identify mitigating factors;
- ask relevant questions;
- provide evidence;
- call relevant witnesses where appropriate; and
- make a closing statement.

The panel or decision-maker may ask questions for clarification.

The hearing may be adjourned where:

- further investigation is required;
- significant new evidence is introduced;
- a witness needs to be consulted;
- reasonable adjustments are required; or
- further time is needed to reach a fair decision.

21. Notice of disciplinary hearing

The employee will normally receive **at least 10 working days' notice** of a formal disciplinary hearing.

The notice will include, where applicable:

- the date, time and location;
- the allegations;
- the possible outcomes;
- the investigation report;
- relevant documentary evidence;
- details of witnesses;
- information about the right to be accompanied; and
- any other information reasonably required to prepare.

The school may provide documents electronically where appropriate and secure.

The NEU model identifies 10 working days as the minimum notice for a disciplinary hearing and requires sufficient information about the allegations and possible consequences.

22. Failure to attend a disciplinary hearing

Employees are expected to attend scheduled hearings.

Where an employee cannot attend for a genuine and reasonable reason, the school will consider rearranging the hearing.

Where an employee persistently fails to attend without good reason, the school may proceed in their absence, taking account of the circumstances and the need to ensure fairness.

The employee's representative may attend where appropriate, but the school may make a decision based on the evidence available where a hearing cannot reasonably be delayed further.

23. Standards of proof and decision-making

The school is not required to apply the criminal standard of proof.

The disciplinary decision-maker will consider, on the balance of probabilities, whether the alleged misconduct is established.

The decision-maker must consider:

- the evidence;
- the employee's response;
- any relevant mitigating circumstances;
- the seriousness of the conduct;
- the employee's record, where relevant;
- consistency with previous cases where appropriate;
- the impact on pupils, staff and the school;
- whether the employee understands the expected standard; and
- whether the proposed action is proportionate.

The decision-maker must not reach a conclusion before considering the employee's response.

24. Possible disciplinary outcomes

Following a disciplinary hearing, the decision-maker may determine:

- no formal action;
- informal action;
- a first written warning;
- a final written warning;
- dismissal with notice; or
- dismissal without notice in a case of established gross misconduct.

Other measures may be appropriate where permitted by contract and law.

A warning will set out:

- the nature of the misconduct;
- the standard expected;
- the improvement or change required;
- the period for which the warning will remain live;
- any support or monitoring arrangements; and
- the potential consequence of further misconduct.

25. Disciplinary warning periods

Unless there are exceptional circumstances, the normal periods for which disciplinary warnings remain live will be:

Sanction	Normal period
First written warning	6 months
Final written warning	12 months
Gross misconduct / dismissal	No warning period

The school will not normally retain a first or final written warning as a live warning beyond the stated period.

Expired warnings will not normally be used to justify a more serious sanction in a subsequent case.

Historical information may, however, remain on personnel records where retention is required by law, the school's Data Retention Policy or another legitimate purpose.

The NEU disciplinary model recommends warning periods of no more than six months for a first written warning and 12–18 months for a final written warning.

26. Final written warning

A final written warning may be appropriate where:

- further misconduct occurs while a first warning is live;

- the misconduct is sufficiently serious to justify a final warning as a first formal sanction; or
- previous formal action has not resulted in the required improvement.

A final warning will normally remain live for 12 months.

A final warning does not mean dismissal is automatic. Any subsequent matter must be considered on its own facts.

27. Dismissal

Only a person or panel with the appropriate delegated authority may dismiss an employee.

A decision to dismiss will only be made after a fair formal process.

The dismissal decision will normally confirm:

- the reasons for dismissal;
- the effective date;
- the notice entitlement or reason dismissal is without notice;
- arrangements for pay and benefits;
- any relevant return-of-property arrangements; and
- the right of appeal.

The Governing Body's delegated responsibilities and any relevant employment procedures will determine who has authority to make dismissal decisions.

For maintained schools, the School Staffing (England) Regulations 2009 establish the relevant framework for staffing, discipline, suspension and dismissal.

28. Teacher misconduct and Teaching Regulation Agency

Where a teacher is dismissed for misconduct, or would have been dismissed had they not resigned, the school must consider whether a referral to the **Teaching Regulation Agency (TRA)** is required.

Any referral will be based on the applicable statutory requirements and current DfE guidance.

The DfE confirms that schools have a legal duty to consider making a TRA referral in relevant teacher misconduct cases.

29. Disciplinary appeal

An employee has the right to appeal against any formal disciplinary sanction.

An appeal should be made in writing to the appropriate person, normally the Chair of Governors, within **15 working days** of receiving the written decision.

The appeal should state:

- the decision being appealed;
- the grounds for appeal;
- any relevant evidence; and

- the outcome sought.

The grounds may include:

- procedural error;
- significant new evidence;
- an unreasonable decision;
- disproportionate sanction;
- inconsistency;
- failure to consider relevant information; or
- other substantive reasons.

The appeal will normally be heard by a person or panel who has had no previous substantive involvement in the case.

30. Disciplinary appeal hearing

The employee will normally receive at least **10 working days' notice** of the appeal hearing.

The appeal panel will consider the grounds of appeal and relevant evidence.

An appeal is not normally a complete rehearing unless the circumstances require this.

The appeal panel may:

- uphold the original decision;
- overturn the decision;
- reduce the sanction;
- substitute a different outcome where appropriate; or
- remit the matter for further consideration.

An appeal will **not increase the disciplinary sanction** imposed at the original hearing.

The NEU model specifically provides that disciplinary appeal hearings should not increase the sanction.

The outcome will normally be communicated verbally at the conclusion of the hearing where practicable and confirmed in writing within **5 working days**.

The appeal decision is normally final within the school's procedure.

PART B – STAFF GRIEVANCE

31. Purpose of the grievance procedure

The grievance procedure provides staff with a formal route to raise concerns relating to their employment where those concerns cannot reasonably be resolved informally.

A grievance may concern matters including:

- contractual arrangements;
- working practices;
- management decisions;
- treatment by colleagues or managers;
- workload;
- working relationships;
- bullying or harassment;
- discrimination;
- application of school policies;
- alleged breaches of employment rights;
- health and safety concerns;
- working conditions; or
- other matters relating to employment.

A grievance must be genuine and raised in good faith.

The grievance procedure is not intended to be used to:

- circumvent another statutory or school procedure;
- pursue an outcome which the school has no power to provide;
- make an allegation solely to cause disadvantage to another individual; or
- prevent reasonable management action from taking place.

32. Informal grievance resolution

Where appropriate, staff are encouraged to raise concerns informally before submitting a formal grievance.

This might involve:

- speaking to their line manager;
- speaking to another senior manager;
- facilitated discussion;
- mediation;
- seeking clarification;
- agreed actions; or
- involvement of a trade union representative.

An employee may proceed directly to a formal grievance where:

- the matter is serious;
- informal resolution would be inappropriate;
- the concern involves their manager;
- previous informal attempts have failed; or
- the employee does not wish to pursue an informal route.

Acas advises that informal resolution is often appropriate but recognises that serious concerns may need to proceed formally.

33. Who should receive a grievance?

A formal grievance should normally be submitted to the employee's line manager.

Where the line manager is the subject of the grievance, it should be submitted to the next appropriate manager.

Where a grievance concerns the **Headteacher**, it should be submitted to the **Chair of Governors**.

Where a grievance concerns the **Chair of Governors**, it should be submitted to the **Vice-Chair of Governors**.

Where both the Chair and Vice-Chair are involved, the grievance should be referred through the Clerk to the Governing Body so that an appropriately independent governor panel or external investigator can be appointed.

Where a grievance concerns the Governing Body as a whole, independent advice will be obtained and an appropriate process established by the Chair/Vice-Chair or relevant external adviser.

34. Formal grievance

A formal grievance should be submitted in writing.

It should normally include:

- the nature of the concern;
- relevant dates;
- the individuals involved;
- relevant evidence;
- steps already taken to resolve the matter;
- the impact of the issue; and
- where possible, the outcome the employee would like to see.

A short, clear statement is usually preferable to a lengthy submission.

The school will not reject a grievance simply because the employee is unable to provide extensive evidence at the outset.

Acas recommends that a formal grievance explains the nature of the concern, provides relevant evidence where available and identifies the outcome sought.

35. Grievance meeting

The school will normally arrange a formal grievance meeting within **10 working days** of receiving the grievance, wherever practicable.

The employee will have the opportunity to:

- explain the grievance;
- provide relevant evidence;
- identify witnesses;
- explain the impact of the concern;
- respond to questions; and
- explain the outcome they seek.

The person hearing the grievance may adjourn the meeting if further investigation is required.

36. Investigation of a grievance

Where appropriate, the person hearing the grievance will arrange an investigation.

The investigation may involve:

- reviewing relevant documents;
- interviewing the employee;
- speaking to other staff;
- reviewing policies or correspondence;
- considering records;
- obtaining professional advice; and
- considering other relevant evidence.

Where allegations are made against another employee, that individual will be informed and given an appropriate opportunity to respond, subject to confidentiality and safeguarding requirements.

A grievance is not automatically upheld simply because it has been raised.

37. Grievances concerning another employee

Where a grievance concerns the conduct of another member of staff, the school may need to consider whether a separate disciplinary process is appropriate.

The employee who raises the grievance will be told, where appropriate, that the matter has been investigated and whether action will be taken.

The school will not normally disclose confidential disciplinary information concerning another employee.

Where a grievance and disciplinary matter are closely connected, the school may:

- deal with them concurrently;
- temporarily suspend one process;
- investigate both matters together; or

- determine one process before commencing another.

The approach will depend on the circumstances.

38. Bullying, harassment and discrimination

The school takes allegations of bullying, harassment and discrimination seriously.

Where such concerns are raised, the school will consider:

- informal resolution;
- mediation;
- a formal grievance;
- the disciplinary procedure;
- safeguarding procedures;
- the school's Equality Policy;
- the school's Staff Code of Conduct; and
- any other appropriate procedure.

The school will not require an employee to attempt informal resolution where this would be inappropriate or unreasonable, particularly where the concern involves harassment, discrimination, serious bullying or a significant imbalance of power.

39. Reasonable adjustments

Reasonable adjustments will be considered throughout the disciplinary and grievance process.

This may include adjustments relating to:

- disability;
- communication;
- access;
- meeting format;
- timing;
- location;
- breaks;
- written communication;
- additional preparation time; or
- support from an appropriate representative.

The employee should inform the school as early as possible if adjustments are required.

The school will comply with its duties under the Equality Act 2010.

40. Mediation

Mediation may be considered at any stage where it could reasonably help resolve a workplace dispute.

Mediation is particularly relevant to:

- relationship difficulties;
- communication problems;
- workplace conflict;
- bullying and harassment where appropriate; and
- breakdowns in working relationships.

Mediation is voluntary and requires the agreement of the relevant parties.

It will not normally be appropriate where:

- a serious safeguarding investigation is required;
- there is a significant power imbalance which makes mediation inappropriate;
- one party does not freely agree;
- the matter concerns serious misconduct requiring formal action; or
- mediation could prejudice another statutory process.

Acas identifies mediation as a possible means of resolving workplace disputes, particularly relationship-based concerns.

41. Grievance outcome

Following consideration of the grievance, the person hearing the grievance will determine what action, if any, is appropriate.

The grievance may be:

- upheld;
- partially upheld; or
- not upheld.

The employee will normally receive a written outcome within **5 working days** of the conclusion of the grievance process, wherever practicable.

The outcome will explain:

- the decision;
- the reasons;
- any action to be taken;
- any relevant recommendations; and
- the employee's right of appeal.

The school will provide as much information as can reasonably be shared while protecting the confidentiality and legal rights of others.

42. Grievance appeal

An employee who is dissatisfied with the outcome may appeal in writing within **10 working days** of receiving the grievance outcome.

The appeal should identify the grounds, which may include:

- failure to follow the procedure;
- significant new evidence;
- unreasonable conclusions;
- failure to consider relevant evidence;
- disproportionate response; or
- other substantive grounds.

The appeal should normally be heard by someone who has not previously been involved in the grievance.

The employee will normally receive at least **10 working days' notice** of the appeal hearing.

43. Grievance appeal outcome

The appeal panel may:

- uphold the original outcome;
- partially uphold the grievance;
- overturn the original decision;
- require further investigation; or
- recommend appropriate action.

The outcome will normally be provided in writing within **5 working days**.

The appeal decision will normally be final within the school's grievance procedure.

PART C – SPECIAL CIRCUMSTANCES

44. Collective grievances

A collective grievance may be raised by a group of employees concerning the same or substantially similar workplace issue.

A recognised trade union representative may raise a collective grievance on behalf of employees where appropriate.

The school may decide to:

- hear the matter collectively;
- appoint a representative group;
- hold individual meetings where necessary; or
- establish a separate process appropriate to the circumstances.

Each employee retains an appropriate opportunity to explain their individual circumstances where these differ materially from the collective concern.

The NEU grievance model specifically supports provision for collective grievances.

45. Grievance raised during disciplinary action

Where an employee raises a grievance during a disciplinary process, the school will consider whether the grievance should be:

- dealt with before the disciplinary process;
- dealt with alongside the disciplinary process;
- dealt with after the disciplinary process; or
- addressed within the existing disciplinary process.

The school will consider whether the grievance directly affects the fairness of the disciplinary matter.

Where the grievance concerns the person responsible for the disciplinary decision or investigation, the school will take appropriate steps to protect impartiality.

Acas recognises that a grievance raised during disciplinary proceedings may justify temporarily suspending the disciplinary process or dealing with both matters concurrently where they are related.

46. Whistleblowing

A concern involving:

- serious wrongdoing;
- fraud;
- criminal behaviour;
- danger to health and safety;
- serious failure to comply with legal obligations;

- environmental damage;
- deliberate concealment of wrongdoing; or
- serious safeguarding concerns

may fall within the school's **Whistleblowing Policy** rather than the grievance procedure.

Staff should not use the grievance procedure as a substitute for whistleblowing where the concern falls within the statutory whistleblowing framework.

The school will ensure that staff have access to the separate Whistleblowing Policy and appropriate reporting routes.

47. Safeguarding and disciplinary overlap

Where a matter involves safeguarding, the school will ensure that employment procedures do not undermine safeguarding investigations or statutory processes.

The DSL, Headteacher and appropriate external agencies will work together as necessary.

Employment decisions may need to await the outcome of external enquiries in some cases, but this will be considered on an individual basis.

The school will seek appropriate professional advice where there is any uncertainty about how procedures should interact.

KCSIE 2026 makes clear that safeguarding is not prevented by data protection considerations and that concerns or allegations relating to staff must be acted upon without delay.

48. Confidentiality and information about outcomes

Information concerning disciplinary and grievance matters is normally confidential.

An employee who raises a grievance will normally be informed of the outcome of their concern, but may not be given confidential details about disciplinary action taken against another employee.

Similarly, an employee who is subject to disciplinary action will receive information relevant to their own case but not confidential personnel information about another member of staff.

All records will be handled in accordance with the school's Data Protection Policy and Data Retention Policy.

49. Records

The school will retain appropriate records of disciplinary and grievance matters, including:

- correspondence;
- investigation documents;
- meeting notes;
- evidence;
- decisions;
- warnings;
- appeal outcomes; and

- relevant action plans.

Records will be:

- accurate;
- factual;
- proportionate;
- securely stored;
- accessible only to appropriate individuals; and
- retained in accordance with the school's Data Retention Policy.

Employees should be reminded not to retain confidential disciplinary or grievance documents on personal devices or accounts.

50. Equality and consistency

The school will seek to apply this policy consistently and fairly.

Decision-makers will consider whether any protected characteristic, disability, pregnancy, maternity, trade union activity or other relevant circumstance affects the appropriate handling of the matter.

The school will monitor disciplinary and grievance processes for potential patterns or disproportionate impact.

Where appropriate, anonymised equality information may be reviewed by the Governing Body.

The school's intention is not to achieve identical outcomes in every case, but to ensure that comparable cases are approached fairly and that differences in outcome have legitimate reasons.

51. Staff wellbeing

Disciplinary and grievance processes can be stressful.

Where appropriate, the school will signpost available support, which may include:

- line management support;
- occupational health;
- employee assistance arrangements;
- trade union support;
- pastoral support;
- professional support; or
- other appropriate wellbeing resources.

Support offered under this section does not affect the independence of the formal process.

52. External HR and professional advice

The school may obtain advice from an appropriate HR professional, employment adviser, legal adviser, local authority adviser or other specialist.

As a voluntary-aided maintained school, St John Henry Newman Catholic Primary School will use external advice as appropriate rather than assuming that Peterborough City Council is responsible for employment decision-making.

The Department for Education confirms that local authorities do not have the same entitlement to advise on staffing matters in voluntary-aided schools as they do in community and voluntary-controlled schools, unless a written agreement provides otherwise.

External advice does not replace the decision-making responsibility of the person or body with the appropriate delegated authority.

53. Governors and panels

Where governors are involved in a disciplinary or grievance matter, they must act impartially and declare any actual or potential conflict of interest.

A governor should not participate in a matter where they:

have a personal interest;

have previously been materially involved;

have a close personal relationship with a relevant individual; or

cannot reasonably demonstrate impartiality.

The Governing Body may establish a specific committee or panel for disciplinary, grievance or appeal matters.

The DfE confirms that maintained-school governing bodies may establish committees or panels for specific purposes, including disciplinary matters, subject to the School Staffing Regulations.

54. Headteacher disciplinary and grievance matters

Where the Headteacher is the subject of a disciplinary matter, the Governing Body will manage the process in accordance with the School Staffing (England) Regulations 2009 and its delegated arrangements.

The Chair of Governors will normally coordinate the process.

Where the Headteacher raises a grievance against a member of staff or another individual, the appropriate independent route will be determined by the Chair of Governors.

Where the Chair of Governors is directly involved, the Vice-Chair or an appropriately constituted governor panel will manage the matter.

55. Appeals involving governors

An appeal should, wherever practicable, be heard by someone who has had no previous substantive involvement in the case.

For this reason, the school will maintain an appropriate pool of governors able to serve on disciplinary and grievance panels and appeals.

External independent support may be used where there are insufficient governors who are independent of a matter.

56. Timeliness

The school will seek to deal with matters without unreasonable delay.

The following are normal targets:

Stage	Normal timescale
Informal resolution	As soon as reasonably practicable
Disciplinary investigation	Target of 20 working days
Disciplinary hearing notice	At least 10 working days
Disciplinary decision	Normally within 5 working days
Disciplinary appeal	Within 15 working days of decision
Grievance meeting	Normally within 10 working days
Grievance outcome	Normally within 5 working days
Grievance appeal	Within 10 working days of outcome
Appeal hearing notice	Normally at least 10 working days
Appeal decision	Normally within 5 working days

These are procedural targets rather than rigid deadlines.

The school may extend a timescale where this is necessary to ensure a fair process.

Reasons for significant delay should normally be communicated to the relevant employee.

57. Failure to cooperate

Employees are expected to cooperate reasonably with disciplinary and grievance procedures.

This includes:

- attending meetings;
- providing information;
- responding to requests;
- respecting confidentiality; and
- behaving appropriately during meetings.

The school will consider the circumstances where an employee is unable to comply.

Deliberate obstruction of a legitimate procedure may itself constitute a conduct issue.

58. Malicious or vexatious concerns

The school recognises that a genuine concern may ultimately not be upheld.

An unsuccessful grievance or an allegation which is not substantiated is **not**, in itself, evidence of misconduct.

Formal disciplinary action may only be considered where there is credible evidence that an employee deliberately raised a knowingly false or malicious allegation.

The school will distinguish carefully between:

- an allegation that is not substantiated;
- an allegation based on an honest misunderstanding;
- a grievance that is unreasonable or poorly founded; and
- a deliberately false or malicious allegation.

This distinction is important for maintaining confidence in legitimate grievance and safeguarding processes.

59. Data protection

All personal information relating to disciplinary and grievance matters will be processed in accordance with the school's:

- Data Protection Policy;
- Data Retention Policy;
- privacy notices; and
- information security arrangements.

Information will only be accessed or shared where there is a legitimate reason.

60. Review of the policy

The Governing Body will review this policy annually or sooner where there is a significant change in:

- employment legislation;
- ACAS requirements;
- DfE guidance;
- safeguarding requirements;
- school governance arrangements;
- recognised trade union arrangements; or
- school organisational structures.

The school will take account of relevant changes to the ACAS Code when the revised Code comes into force.

Appendix 1 – Disciplinary Procedure Summary

Stage 1 – Concern identified

A concern about conduct is identified.

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Stage 2 – Initial consideration

The manager considers whether the matter is:

- informal;
- safeguarding;
- capability;
- absence/ill health;
- whistleblowing;
- another procedure; or
- disciplinary.

↓

Stage 3 – Informal action

Where appropriate:

- discussion;
- advice;
- support;
- mediation;
- agreed action.

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Stage 4 – Investigation

Where formal disciplinary action may be required:

- investigator appointed;
- evidence gathered;
- witnesses considered;
- employee's account obtained;
- investigation report prepared.

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Stage 5 – Decision to proceed

The authorised manager decides:

- no action;
- informal action;

- further investigation; or
- disciplinary hearing.

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Stage 6 – Disciplinary hearing

Employee:

- receives allegations and evidence;
- has reasonable notice;
- may be accompanied;
- responds to the case;
- provides evidence and mitigation.

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Stage 7 – Outcome

Possible outcomes:

- no action;
- first written warning;
- final written warning;
- dismissal with notice;
- dismissal without notice for gross misconduct.

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Stage 8 – Appeal

Employee may appeal within 15 working days.

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Stage 9 – Final decision

Appeal decision communicated in writing.

Appendix 2 – Grievance Procedure Summary

Stage 1 – Concern raised

Employee raises concern informally where appropriate.

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Stage 2 – Informal resolution

Possible:

- discussion;
- clarification;
- mediation;
- agreed actions.

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Stage 3 – Formal grievance

Employee submits grievance in writing.

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Stage 4 – Grievance meeting/investigation

The school:

- appoints an appropriate person;
- investigates where necessary;
- hears the employee's case;
- considers relevant evidence.

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Stage 5 – Outcome

Grievance:

- upheld;
- partially upheld; or
- not upheld.

Written outcome normally within 5 working days.

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Stage 6 – Appeal

Employee may appeal within 10 working days.

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Stage 7 – Final decision

Appeal outcome communicated in writing.

Appendix 3 – Indicative Misconduct Matrix

The following is a guide only. The actual sanction will depend on the individual circumstances.

Concern	Usual starting approach
Minor first-time conduct issue	Informal discussion/advice
Repeated minor misconduct	Informal or first written warning
Significant misconduct	First or final written warning
Serious misconduct	Final written warning or dismissal, depending on circumstances
Gross misconduct	May result in dismissal following a fair process

The school will always consider the facts, context, mitigation, previous record and proportionality before determining a sanction.

Appendix 4 – Key Employee Rights

Employees should remember that they have the right to:

- know the concerns or allegations being considered;
- receive reasonable information and evidence;
- have an opportunity to respond;
- be treated fairly and consistently;
- be accompanied at formal disciplinary and grievance hearings;
- request reasonable adjustments;
- appeal formal decisions;
- raise genuine grievances without retaliation; and
- have personal information handled appropriately.

Employees also have a responsibility to:

- participate reasonably in procedures;
- provide truthful information;
- respect confidentiality;
- cooperate with investigations;
- treat others respectfully; and
- follow reasonable management instructions.

Appendix 5 – Related Policies

This policy should be read alongside:

- Staff Code of Conduct;
- Safeguarding and Child Protection Policy;
- Whistleblowing Policy;
- Capability Policy;
- Teacher Appraisal Policy;
- ECT Policy;
- Attendance / Managing Sickness Absence Policy;
- Equality Policy;
- Anti-Bullying Policy;
- Health and Safety Policy;
- Data Protection Policy;
- Data Retention Policy;
- Safer Recruitment Policy;
- Online Safety / Acceptable Use Policy; and
- relevant terms and conditions of employment.