

CATHOLIC SCHOOL DISCIPLINARY POLICY AND PROCEDURE
TEMPLATE LETTERS

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NOTES TO USER:

You must either complete or delete information which is highlighted in yellow in these template letters before sending to the employee. Please ensure that you remove the note on letter 6 and the note on letters 10 and 11 regarding the power to terminate *before* it is sent to the employee.

**CATHOLIC SCHOOL DISCIPLINARY POLICY AND PROCEDURE
TEMPLATE LETTERS**

Effective date: September 2012 (10th December 2020)
Wales Disciplinary Policy and Procedure Template Letters
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CES TEMPLATE LETTERS
NOT TO BE PLACED ON SCHOOL INTRANET

1. LETTER OF SUSPENSION

Dear **NAME**

Suspension

In accordance with the provisions of the School's Disciplinary Policy and Procedure and having taken your comments into consideration, I am **[suspending you]** **[confirming your suspension]** from work with immediate effect.

Your suspension is necessary in order to allow disciplinary allegations that have been made to be investigated effectively and thoroughly. As an alternative to suspension, I considered **[arranging for your supervision on school premises during the disciplinary investigation]** **[allowing you to remain on school premises unsupervised during the disciplinary investigation]** **[arranging for you to work in a different part of the school during the disciplinary investigation]** **[OR INSERT ANY OTHER ALTERNATIVE(S) TO SUSPENSION THAT WERE CONSIDERED]**.

However, in the circumstances none of the above measures would provide a suitable alternative to suspension because **[your presence at the school during the disciplinary investigation process could have potential safeguarding implications and we do not have sufficient human resources in place to ensure your constant supervision]** **[it is likely that your presence at the school could hinder the disciplinary investigation]** **[OR INSERT OTHER RELEVANT REASON(S) FOR REJECTING CONSIDERED ALTERNATIVES]**.

The allegations that have been made relate to **[INSERT BRIEF OUTLINE OF ALLEGATIONS]**.

You should be aware that suspension is not in itself a disciplinary sanction.

I enclose a copy of our Disciplinary Policy and Procedure.

For the purposes of the procedure, **INSERT NAME** is the Investigating Manager who may contact you during the period of suspension to ask for information or documents. Your cooperation will assist in reaching a speedy conclusion to the investigation.

During the period of suspension, you:

- (a) Will continue to be paid in full and receive full benefits (unless you are otherwise absent from work due to sickness or other leave and have exhausted the pay entitlements connected to your absence);
- (b) Must not, **without my prior permission**, discuss the fact of your suspension or the fact, of or the nature, of the allegations against you with anyone in or connected with the School (including pupils, parents, governors and colleagues) other than me, your school level union representative or **[NAME OF LINE MANAGER]** or **[NAME OF INVESTIGATING MANAGER]**.

If you are called to an interview with the Investigating Manager or a Disciplinary Meeting you may then approach work colleagues for the purposes of identifying a

willing work Companion but only if you do not have an accredited representative of a trade union or other professional association of which you are a member.

If you are called to a Disciplinary Meeting you may then approach work colleagues as potential witnesses in support of your case.

- (c) Must not, **without my prior permission**, make any contact with any governor, parent or pupil at the School.

If following the investigation you are called to a Disciplinary Meeting you may then approach governors, parents or pupils as potential witnesses but this must be done via the Investigating Manager to avoid any breach of data protection legislation and/or breach to duties of confidentiality.

- (d) Should be available by phone or email during your normal working hours to assist with any queries relating to your work. The phone numbers and email address we have for you are **INSERT**. Please let me know immediately if this information is incorrect.

- (e) Must not enter the school premises except with my prior permission.

Your suspension will be reviewed by the **[Chair of Governors]** every 10 working days and may be extended. In such case, the fact of an extension will be confirmed in writing. Your suspension may only be lifted by the **[Chair of Governors][Governors]**.

If you are a member of a trade union, or other professional association, I recommend that you seek their advice and support if you have not already done so.

You may also be able to obtain support from the Education Support Partnership, who can be contacted on 0800 562 561. **[INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO SCHOOL STAFF]**.

Yours sincerely

NAME

[Headteacher][Chair of Governors]

Enc. Disciplinary Policy and Procedure

cc. Investigating Manager

2. LETTER ON REVIEW OF SUSPENSION

Dear **NAME**

Review of Suspension

I am writing to confirm that I have reviewed your suspension and as the investigation is ongoing, I have decided to extend your suspension.

[In making the decision to extend your suspension, I have reviewed the initial reason for deciding to suspend you from duty, detailed in my previous letter of **[insert date]** and the position has not changed].

OR

[Having again considered any alternatives to your suspension, there is no adequate alternative measure for the reasons provided in my previous letter of **[insert date]** as the position has not changed].

OR

[INSERT OTHER RELEVANT REASON]

I shall review the suspension again in a further 10 working days.

If you are a member of a trade union, or other professional association, I recommend that you seek their advice and support if you have not already done so.

You may also be able to obtain support from the Education Support Partnership, who can be contacted on 0800 562 561. **[INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO SCHOOL STAFF]**.

Yours sincerely

NAME

Chair of Governors

cc. Investigating Manager
[Accredited Representative]

3. LETTER ENDING SUSPENSION

Dear NAME

End of suspension

I am writing to inform you that your period of suspension has now concluded and you should return to work on INSERT NEXT WORKING DAY.

Thank you for your patience during your period of suspension, which has allowed us to ensure the matter could be investigated thoroughly and fairly.

The Investigating Manager, INSERT NAME, will be writing to you separately with a copy of the Investigation Report.

Yours sincerely

NAME

Chair of Governors

cc. Investigating Manager
[Accredited Representative]

4. LETTER RE INVESTIGATION

Dear NAME

Investigation

I have been appointed Investigating Manager under the School's Disciplinary Policy and Procedure and enclose a copy of that Policy for you. I have been asked to prepare an Investigatory Report and to make a recommendation whether you should be invited to a Disciplinary Meeting in relation to the following allegations:

- INSERT DETAIL OF ALLEGATIONS.

This list of allegations is not definitive and may need to change during the course of my investigation. You will be made aware of any subsequent allegations and given the opportunity to respond to them.

I enclose a copy of the Disciplinary Policy and Procedure.

Interview

To assist me in my investigation, I would like to meet with you on DATE at TIME at SCHOOL VENUE. If you would prefer, I am happy to meet with you at home or at a neutral venue.

At our interview, I would like you to identify any people you believe I should also be interviewing or any documentation that you wish me to look for. My task is to consider all of the facts in order to arrive at a balanced understanding of the available evidence.

You may be accompanied by a Companion who is an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague. Note that your Companion cannot answer questions for you and you must notify me of their identity at least the working day before the meeting.

OR

Written Questions

At this stage I do not consider it necessary to meet with you but would like you to answer the questions attached in writing by DATE which will assist me in my investigation.

I would also like you to identify any people you believe I should also be interviewing or any documentation that you wish me to look for. My task is to consider all of the facts in order to arrive at a balanced understanding of the available evidence.

You may be assisted by a Companion who is an accredited representative of a trade union or other professional association, or a willing work colleague in formulating your response to my questions.

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe I can make to accommodate your disability in relation to my investigation, please do let me know as soon as possible.

You may also be able to obtain support from the Education Support Partnership, who can be contacted on 0800 562 561. [INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO SCHOOL STAFF].

Yours sincerely

NAME
Investigating Manager

cc. Accredited Representative

5. LETTER ENCLOSING INVESTIGATORY REPORT – NO ACTION

Dear NAME

Outcome of investigation

I have completed, as far as possible, my Investigation Report and enclose a confidential copy. You will see that I have recommended that there be no Disciplinary Meeting in relation to the allegations.

Therefore this matter is now closed.

Thank you for your assistance.

Yours sincerely

NAME

Investigating Manager

cc. Accredited Representative

6. LETTER INVITING TO DISCIPLINARY MEETING

Dear NAME

Outcome of investigation – Disciplinary Meeting

I have now completed, as far as possible, my Investigation Report and enclose a confidential copy. You will see that I have recommended that you should attend a Disciplinary Meeting. The Investigation Report sets out the allegations in detail (including, where relevant, dates of the alleged incidents), together with all supporting evidence.

You are therefore required to attend a Disciplinary Meeting on DATE at TIME at VENUE.

The purpose of the Disciplinary Meeting is for you to have an opportunity to comment upon the Investigation Report. Any evidence you intend to present at the meeting should be provided at least 3 working days in advance of the Disciplinary Meeting. This is in order to ensure efficiency and operational smoothness in the course of the meeting process.

The Disciplinary Manager conducting the Disciplinary Meeting (appointed pursuant to the School's Disciplinary Policy and Procedure) is [the Headteacher] [the Staff Disciplinary and Dismissals Committee which will comprise INSERT NAMES].

(*) SEE THE TABLE AT PARAGRAPH 4.1 OF THE CES DISCIPLINARY POLICY AND PROCEDURE FOR WALES BEFORE SELECTING THE APPROPRIATE OPTION.

I will be presenting the report to the Disciplinary Meeting and you will have an opportunity to make any representations you wish in relation to the allegations against you.

In the event that the allegations against you are proven, you should be aware that you may face a formal sanction pursuant to the School's Disciplinary Policy and Procedure, in this case most likely is [SANCTION]

[You should note that the allegations, if proven, may be considered sufficiently serious, either alone or taken together with other warnings or matters, to warrant the termination of your employment].

You may be accompanied by a Companion who is an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague. Note that your Companion cannot answer questions for you and you must notify me of their identity at least the working day before the meeting.

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe I can make to accommodate your disability at the disciplinary meeting, please do let me know as soon as possible.

You may also be able to obtain support from the Education Support Partnership, who can be contacted on 0800 562 561. [INSERT DETAILS OF ANY LOCAL COUNSELLING OR SUPPORT SERVICES AVAILABLE TO SCHOOL STAFF].

Yours sincerely

NAME

Investigating Manager

cc. Accredited Representative
[Disciplinary Manager]

Enc. Investigation Report

7. LETTER TO THE EMPLOYEE – NO ACTION

Dear NAME

Outcome of Disciplinary Proceedings

I am writing to confirm the outcome of the Disciplinary Meeting held on DATE.

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager;
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that none of the allegations are proven and that no disciplinary action will be taken.

Therefore this matter is now closed.

Thank you for your cooperation and assistance.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Investigating Manager
Accredited Representative

8. OUTCOME LETTER – FIRST WRITTEN WARNING

Dear NAME

Outcome of Disciplinary Meeting – First Written Warning

I am writing to confirm the outcome of the Disciplinary Meeting held on DATE.

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager;
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- INSERT

It has been further decided that the appropriate formal sanction is a First Written Warning which will remain live on your file for 6 months from and including today i.e. until DATE

Any further misconduct, whether of a similar or dissimilar nature being discovered or occurring in this period (even if not discovered until after the end of this period) may result in further disciplinary action which may, result in turn, lead to either a Final Written Warning or the termination of your employment.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to Governors within 10 working days of the date of this letter with the grounds of appeal you wish to rely upon.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Accredited Representative
Investigating Manager

9. OUTCOME LETTER – FINAL WRITTEN WARNING

Dear NAME

Outcome of Disciplinary Meeting – Final Written Warning

I am writing to confirm the outcome of the Disciplinary Meeting held on DATE.

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager;
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations were proven:

- INSERT

It has been further decided that the appropriate formal sanction is a Final Written Warning which will remain live on your file for 12 months from and including today i.e. until DATE

Any further misconduct, whether of a similar or dissimilar nature being discovered or occurring in this period (even if not discovered until after the end of this period) may result in further disciplinary action which, in turn, may result in the termination of your employment.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to Governors within 10 working days of the date of this letter setting out your grounds of appeal.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Accredited Representative
Investigating Manager

10. **OUTCOME LETTER – DISMISSAL ON NOTICE – NOT TO BE USED IN GROSS MISCONDUCT CASES**

Dear **NAME**

Outcome of Disciplinary Meeting – Dismissal on Notice

I am writing to confirm the outcome of the Disciplinary Meeting held on **DATE**

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager;
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations were proven:

- **INSERT**

It has been further decided that these offences, whilst they do not in and of themselves amount to gross misconduct, are sufficiently serious to terminate your employment when taken together with previous warnings. Accordingly, your employment is being terminated in accordance with the notice provisions in your contract of employment which means your employment will end on **INSERT DATE**.

[During this period, you are required to attend work.]

OR

[During this period you are not required to attend work and will be placed, in effect, on garden leave and will receive your pay and benefits for the remainder of your notice period. During your period of garden leave, you should not contact anyone at the School without the prior permission of [the Headteacher][the Chair of Governors]].

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to Governors within 10 working days of the date of this letter setting out your grounds of appeal.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Accredited Representative
Investigating Manager

[NB: ONLY THE GOVERNING BODY HAS THE POWER TO TERMINATE STAFF EMPLOYMENT. THIS POWER MAY HAVE BEEN DELEGATED TO A COMMITTEE OR TO AN INDIVIDUAL. PLEASE ENSURE THAT THE LETTER GIVING NOTICE OF

**TERMINATION OF EMPLOYMENT IS SIGNED BY THE BODY/PERSON WITH
AUTHORITY TO EXERCISE THE POWER TO TERMINATE EMPLOYMENT.]**

11. OUTCOME LETTER –DISMISSAL WITHOUT NOTICE OR TERMINATION PAYMENT

Dear **NAME**

Outcome of Disciplinary Meeting –Dismissal without Notice or Termination Payment

I am writing to confirm the outcome of the Disciplinary Meeting held on **DATE**.

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigation Manager;
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- **INSERT**

It has been further decided that your actions and/or omissions amount to gross misconduct or have otherwise destroyed the trust and confidence required between the School/ Governing Body and you and, as such your employment is terminated without notice or termination payment. Your employment is therefore terminated with immediate effect.

You have the right to appeal against this decision. If you wish to exercise that right of appeal, you should do so by writing to the Clerk to Governors within 10 working days of the date of this letter setting out your grounds of appeal.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Accredited Representative
Investigating Manager

[NB: ONLY THE GOVERNING BODY HAS THE POWER TO TERMINATE STAFF EMPLOYMENT. THIS POWER MAY HAVE BEEN DELEGATED TO A COMMITTEE OR TO AN INDIVIDUAL. PLEASE ENSURE THAT THE LETTER GIVING NOTICE OF TERMINATION OF EMPLOYMENT IS SIGNED BY THE BODY/PERSON WITH AUTHORITY TO EXERCISE THE POWER TO TERMINATE EMPLOYMENT.]

12. OUTCOME LETTER – PROPOSED VOLUNTARY DEMOTION

Dear NAME

Outcome of Disciplinary Meeting – Proposed Voluntary Demotion

I am writing to confirm the outcome of the Disciplinary Meeting held on DATE.

Having considered:

- (a) The Investigation Report;
- (b) The evidence produced by the Investigating Manager; and
- (c) The evidence produced by you, including any evidence of mitigation (if appropriate)

it has been decided that the following allegations have been proven:

- INSERT

Having considered the matter, it appears that a recent promotion or job change has been a contributory factor in your misconduct and, accordingly, as an alternative to a [Final Written Warning] OR [dismissal on notice], we propose instead that you are demoted from your post of CURRENT POST at a salary of £CURRENT SALARY to a post of PROPOSED POST at a salary of £PROPOSED SALARY with effect from the date of your agreement to the proposal.

If you wish to agree to this voluntary demotion, please confirm your acceptance in writing to me within 5 working days i.e. by DATE. If I have not heard from you within 5 working school days then I will write to you imposing the alternative sanction, being a [Final Written Warnings] OR [dismissal on notice] indicated above.

Yours sincerely

NAME

[Headteacher][Chair of Staff Disciplinary and Dismissals Committee]

cc. Accredited Representative
Investigating Manager

13. LETTER – RECEIPT OF APPEAL

Dear NAME

Receipt of Appeal

Thank you for sending me your appeal against the disciplinary sanction imposed under the School's Disciplinary Policy and Procedure following the recent Disciplinary Meeting held on DATE.

Under the Disciplinary Policy and Procedure, the Staff Disciplinary and Dismissals Appeals Committee will consider your appeal. The Appeal Meeting will take place on DATE at TIME which falls within the 23/35 working day period set out in the procedure.

The Panel will comprise the following governors:

- INSERT

If you consider yourself to be a person with a disability and there are reasonable adjustments you believe I can make to accommodate your disability in relation to my investigation, please do let me know as soon as possible.

You may be accompanied by a Companion who is an accredited representative of a trade union or other professional association of which you are a member, or a willing work colleague. Note that they cannot answer questions for you and you must notify me of their identity at least the working day before the meeting.

Yours sincerely

NAME

Clerk to Governors

cc. Accredited Representative
Investigating Manager
Members of the Governors' Appeal Panel

14. LETTER – OUTCOME OF APPEAL – NO CHANGE

Dear **NAME**

Outcome of Appeal

Further to the Appeal Meeting on **DATE**, I confirm, on behalf of the Staff Disciplinary and Dismissals Appeals Committee, that it has been decided to uphold the original decision and to reject your appeal.

[In providing your grounds for appeal, you have not presented any new facts or information that had not already been taken into account when the decision was made].

OR

[The information you have provided in your grounds for appeal does not add anything material to the facts which would warrant further investigation].

There is no appeal against our decision.

Yours sincerely

NAME

Chair of Staff Disciplinary and Dismissals Appeals Committee

cc. Investigating Manager
Accredited Representative
[Chair of Governors]
[Headteacher]

15. LETTER – OUTCOME OF APPEAL – REDUCED SANCTION

Dear **NAME**

Outcome of Appeal

Further to the Appeal Meeting on **DATE**, I confirm, on behalf of the Staff Disciplinary and Dismissals Appeals Committee, that it has been decided to reduce the disciplinary sanction imposed on you following the Disciplinary Meeting.

Your sanction is reduced from:

[dismissal without notice to a Final Written Warning which will remain on your file for 12 months from and including today i.e. until **DATE**.

[In the event of any further misconduct, whether of a similar or dissimilar nature occurring or being discovered in this period (even if not discovered until after the end of this period), you will be subject to further disciplinary action which will involve dismissal.]

[Please note that this process has not affected your continuous employment.]

OR

[a Final Written Warning to a First Written Warning which will remain live on your file for 6 months from and including today i.e. until **DATE**.

The decision to reduce the disciplinary sanction is based on a review of the facts having regard to the information you have provided in your grounds for appeal. In particular **[INSERT REASON BEHIND THE DECISION, WHICH SHOULD RELATE TO THE POINTS RAISED DURING THE APPEAL PROCESS]**.

In the event of any further misconduct, whether of a similar or dissimilar nature occurring or being discovered in this period (even if not discovered until after the end of this period), you will be subject to further disciplinary action which will result in either a Final Written Warning or dismissal]

OR

[INSERT ANY SANCTION TO NO ACTION AT ALL].

Yours sincerely

NAME

Chair of Staff Disciplinary and Dismissals Appeals Committee

cc. Investigating Manager
Accredited Representative
[Chair of Governors]
[Headteacher]