



RIPLEY ITT

Disciplinary Policy

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Roles and Responsibilities

The Trust has overall responsibility for the effective operation of this policy. The **Executive Steering Group** is responsible for approving this policy and monitoring its effectiveness. The Executive Steering Group is responsible for ensuring that staff are treated fairly and consistently in the application of this policy and procedure. The Executive Steering Group has delegated day-to-day responsibility for operating the policy to the SCITT Director. The SCITT Director has specific responsibility to ensure the fair application of this policy and that procedures are followed

Introduction

Trainee is a term used to refer to provider-led trainee, teacher apprentice and assessment only candidate. Nothing in this contract is intended to create a contract between Ripley ITT SCITT and a Trainee. This policy may be amended by the SCITT at any time.

Failure to abide by the Ripley ITT SCITT Code of Conduct and breach of school policies will result in a disciplinary process for trainees. Any audio or video recordings of meetings or discussions held pursuant to this Policy by the Trainee are strictly prohibited. Any actual or suspected recording may be dealt with as a separate serious disciplinary matter.

It should be noted that in the case of teacher apprentices, it is the employer's responsibility to instigate a disciplinary process for employment purposes. If an employer terminates a teacher apprentice's employment then the 'Break in Learning and Termination of Training Policy: Teacher Apprentices' is adhered to.

The process below outlines disciplinary proceedings relating to training:

Stage 1:

Any concern or disciplinary matter should be raised and resolved at local level if possible in the first instance, for example by the Professional Mentor if it is a placement issue or by the SCITT Director/Programme Leader if not. An informal meeting will be held with the trainee to discuss the problem. Instructions, guidance and informal warnings may be recorded in writing and referred to at a later stage to evidence that an informal approach was attempted and the success/failure of such approach.

Stage 2:

If the disciplinary matter is not resolved at stage 1, or is considered serious, it needs to be reported at stage 2. An **Adjudication Meeting** will be held between the trainee and the SCITT Director with another member of the SCITT personnel – a School Leader or the Link Tutor. Trainees will be given reasonable notice of the meeting and will be provided with information relating to the concerns in writing, either within the meeting letter or as attachments.

Trainees are required to attend the Adjudication Meeting. When responding, trainees will have the opportunity to offer mitigating circumstances if applicable. Trainees can be accompanied to an Adjudication Meeting by a trade union representative or a colleague. No legal representatives will be permitted. It is expected that the trainee will engage directly with the host of the appointment and the person(s) accompanying the trainee is welcome to be in attendance, in support only. Trainees should note that information relevant to the concerns may be discussed that s/he has not made the person(s) accompanying them aware of and should be prepared for the Adjudication meeting to continue even if they wish the person accompanying them to leave.

Trainees with a disability or specific learning difficulty are invited to notify the host of the Adjudication Meeting in advance if they would like additional assistance or reasonable adjustments before or during the process.

Where it is judged that misconduct has occurred or has been admitted, appropriate outcomes/sanctions may be applied. Written confirmation of the outcome will be provided to the trainee and retained on the trainee record. Outcomes or sanctions which may be issued can include, but are not limited to one or more of the following:-

- a) Acknowledgement of the breaches but no further action.
- b) Verbal warning, recorded on the trainee file.
- c) Written warning, recorded on the trainee file.
- e) Referral to a Disciplinary Hearing

Trainees will receive a copy of the notes from the meeting for information. If no misconduct is determined, a copy will not be held on the trainee's file.

Not complying with this procedure or the resulting action plan where applicable, may result in a referral to a Disciplinary Hearing.

Stage 3: Disciplinary Hearing

A Disciplinary Hearing may be convened in, but is not limited to, the following circumstances:

- a) Where a complaint/allegation is more serious than one which could be dealt with at stage 2.
- b) On completion of any Police or other criminal investigations.
- c) As a result of a vexatious allegation under the Trainee Complaints Policy and Procedure.
- d) A serious allegation/complaint or repeated failure to follow the Code of Conduct, SCITT and/or school policies which would not be appropriate due to its seriousness to be dealt with at stage 2.

The Disciplinary Hearing is conducted by an Adjudication Officer, who shall be member of the SCITT Executive Steering group. When the Adjudication Officer has gathered as much relevant information as appropriate, s/he will contact the trainee in writing outlining the nature of the concerns raised. In addition, the Adjudication Officer will set out how the allegations relate the elements of the Code of Conduct and/or SCITT or school policies. The initial letter will include any supporting documentation, the date, time and location of the Disciplinary Hearing, who the Adjudication Officer will be and the trainee's right to be accompanied to the Disciplinary Hearing in accordance with the terms of this Policy.

Trainees with a disability or specific learning difficulty are invited to notify the Adjudication Officer on receipt of the initial letter if they would like additional assistance or reasonable adjustments through the process and Disciplinary Hearing.

The trainee will be given no fewer than 3 working days' notice of the Disciplinary Hearing. Trainees may be required to give apologies to prior engagements, including training, placement, work and commitments outside of term time. Trainees may contact the Adjudication Officer to request an alternative appointment time for good reason but changes cannot be guaranteed.

Trainees can be accompanied to a Disciplinary Hearing. This could be a member of the trainees' Union, a peer or friend. Legal representatives are not permitted. It is expected that the trainee will engage directly with the meeting and the person(s) accompanying the trainee is welcome to be in attendance, in support only. Trainees should note that information relevant to the concerns may be discussed that s/he has not made the person(s) accompanying them aware of.

Present at a Disciplinary Hearing:

- a) Adjudication Officer: The staff member identified to conduct the adjudication enquiries. The Adjudication Officer may bring forward witnesses as appropriate.
- b) The trainee under consideration: will be present to offer a response to the concerns raised which are sent in advance. S/he may bring forward witnesses as appropriate to support the response in addition to a supporter as noted above.
- c) The SCITT Director may be present if a stage 2 meeting has not already taken place
- d) A note-taker will be present

At the Hearing, the trainee will be asked if s/he:

(a) Denies the alleged breach and offers a statement/evidence/information to support this denial OR

(b) Admits to the alleged breach OR

(c) Admits to the alleged breach and offers mitigating circumstances.

At any point in the Disciplinary Hearing, the Adjudication Officer may agree to adjourn in order for further enquiries to be carried out (including referral back to the person who made the initial allegation/complaint). This adjournment should normally be no longer than 10 school days. Should new information be made available, the trainee will be provided with a copy and be given time to consider the information before reconvening.

Where a trainee outlines health-related mitigating circumstances, the Disciplinary Hearing may be adjourned if it is desirable to obtain medical reports.

If the Adjudication Officer requires additional time to determine an outcome, s/he will inform the trainee that s/he will be contacted in writing, normally within five school days of the Disciplinary Hearing.

Outcomes of the Disciplinary Hearing: The trainee will be informed in writing of:

a) The outcomes of the investigation, in the form of a Short Report including the reasons for the decision(s) and any penalty.

b) Sanctions to be applied where applicable.

c) The right to appeal against a decision and/or level of sanction where breaches are admitted or are found to have occurred.

In all cases the trainee will be provided with a copy of the outcome in writing. Where breaches have occurred, a copy of the Short Report will be placed on the trainee's file.

Where it is found that no breaches have occurred papers from the Disciplinary Hearing will not be placed on the trainee's file.

The Adjudication Officer reserves the right to determine an outcome in the absence of the trainee if s/he fails to attend the appointment without advance notice.

If the trainee does not appeal within the time limit for doing so then the SCITT Director shall close the matter and notify the trainee in writing.

Appeals

The trainee has the right to appeal against the decision of the Disciplinary Hearing in accordance with the Ripley ITT Appeals Policy. The trainee may only commence an appeal from stage 2.

If the trainee wishes to appeal they should inform the Adjudication Officer in writing outlining the reasons for the appeal by the deadline stated in the outcome letter.

Stage 4: Independent External Review

Once the appeals stage has been completed, the trainee is entitled to ask the Office of the Independent Adjudicator for Higher Education (OIA), the independent ombudsman service, to

review his/her complaint about the outcome of the Ripley ITT disciplinary process. The appeal should be submitted to the OIA within 12 months of the date of the Completion of Procedures Letter.

Data Protection

- Ripley ITT will retain data related to the investigations for 7 years from the start of the investigation and after this time all data will be deleted. All data will be stored securely during this time.
- All investigations will be treated confidentially. Ripley ITT will only disclose information to those who need it to investigate or to respond to the issues raised.
- When a trainee responds to an investigation they should only include any necessary information about third parties. Evidence provided must focus on the impact that a third party has had on the trainee themselves. For example, if the investigation is based on the health of a family member, Ripley ITT does not need to see the detailed medical information about that person.