



EmpowerEd Disciplinary Policy

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EmpowerEd Disciplinary Policy

1. Purpose of the Policy

The purpose of this policy is to:

- Outline the circumstances under which EmpowerEd may discipline an employee for misconduct or gross misconduct.
- Provide a fair and consistent approach to disciplinary actions.
- Ensure compliance with current employment law, including the Employment Rights Act 1996 and any updates made under the Equality Act 2010.

2. Scope of the Policy

This policy applies to all employees, including part-time, full-time, and those on fixed-term contracts. It does not cover agency workers or self-employed contractors.

This policy does not form part of any employee's contract of employment. EmpowerEd reserves the right to modify or update this policy at any time to reflect changes in HR law or internal needs.

3. Roles and Responsibilities

- **Senior Managers:** Overall responsibility for the implementation and regular review of this policy.
- **Line Managers:** Responsible for applying this policy fairly and consistently, and for familiarising themselves with its contents.
- **Employees:** Responsible for adhering to the policy and cooperating with any investigation or disciplinary procedures.
- **Policy Review:** This policy will be reviewed annually by a designated member of senior management.

4. Employee Misconduct

EmpowerEd will apply this policy in cases of misconduct or gross misconduct.

- **Misconduct:** Inappropriate behaviour that breaches company rules or standards. Examples include:
 - Refusing to carry out work (insubordination)
 - Being absent without permission
 - Persistent lateness
 - Minor breaches of health and safety
- **Gross Misconduct:** Serious violations that may lead to summary dismissal (termination without notice). Examples include but are not limited to:
 - Theft or fraud

- Physical violence, bullying, or harassment
- Deliberate damage to company property
- Accessing inappropriate or offensive content online during work hours
- Serious insubordination
- Gross negligence leading to damage or injury
- Serious breaches of health and safety rules
- Unlawful discrimination or harassment
- Serious misuse of company property, information, or reputation
- Intoxication at work from alcohol or illegal drugs
- Bringing the company into serious disrepute

This list is not exhaustive, and other behaviours may also be classified as gross misconduct depending on the severity.

5. Disciplinary Procedure

Step 1: Investigation of Misconduct

- Alleged misconduct will be thoroughly investigated before any disciplinary action is taken.
- If an investigation meeting is held, its purpose will solely be fact-finding, and no disciplinary action will be decided at this stage.
- Employees do not have a statutory right to be accompanied at an investigation meeting.
- Investigations may require suspension, particularly in cases of potential gross misconduct. Suspension is not a disciplinary action and will be on full pay. During suspension, employees are expected to refrain from contacting clients, customers, suppliers, or colleagues unless authorised.

Step 2: Informal Resolution

- For minor misconduct issues, line managers may attempt to resolve matters informally. This might involve coaching or a verbal warning. However, if informal resolution is not appropriate, the formal disciplinary process will be initiated.

Step 3: Formal Disciplinary Hearing

- Employees will be provided with a minimum of 48 hours' written notice of a disciplinary hearing. This notice will include:
 - The alleged misconduct
 - Any potential consequences
 - Copies of relevant documents or witness statements
- Employees are entitled to be accompanied by a colleague or a trade union representative. The companion is allowed reasonable paid time off for this role.

- Employees may present evidence or witnesses during the hearing, provided the company is notified in advance.

Step 4: Disciplinary Outcomes

The following penalties may result from a disciplinary hearing:

- **Verbal Warning:** For minor infractions, valid for 6 months.
- **First Written Warning:** For more serious offences or if a verbal warning has already been issued. Active for 6 months.
- **Final Written Warning:** Issued when there is further misconduct or a serious initial offence. This will remain active for 12 months.
- **Dismissal:** This may occur when there is gross misconduct or further offences after a final written warning. Dismissal may be summary (without notice) or with notice, depending on the circumstances.
- **Other Sanctions:** These may include demotion, redeployment, or extension of the final written warning's active period. These will only be applied in cases where the employee's contract allows for such measures.

Step 5: Appeal Process

- Employees have the right to appeal any disciplinary decision. Appeals must be submitted in writing to hr@empowered-education.co.uk within five working days of receiving the disciplinary outcome.
- The appeal will be heard by a senior manager who was not involved in the initial hearing.
- Employees may bring a colleague or a trade union representative to the appeal hearing.
- The final decision will be communicated in writing, typically within one week of the appeal hearing. There are no further internal appeal processes.

6. Right to be Accompanied

- Employees are entitled to be accompanied at any disciplinary hearing by either a colleague or a trade union representative. This individual may speak on behalf of the employee but cannot answer questions directed at the employee.
- Requests for accompaniment must be made in advance.

7. Data Protection

All information related to disciplinary matters will be handled in accordance with the General Data Protection Regulation (GDPR). Information will be kept confidential and only shared with relevant parties.

8. Monitoring and Review



- EmpowerEd will review this policy annually or in response to changes in employment law.
- Employee disciplinary records will be reviewed regularly to ensure that this policy is applied consistently and fairly across the organisation.