



## DISCIPLINARY POLICY AND STAFF CODE OF CONDUCT

### 1. Purpose and content

This policy and procedure applies to all employees of the school only. It does not form part of the terms and conditions of any employee's employment with the school and is not intended to have contractual effect. However, it reflects the school's current practices and employees should familiarise themselves with its content.

The school reserves the right to vary or amend its disciplinary policy and procedure depending on the particular circumstances of the case. The school also reserves the right not to follow the Disciplinary Policy and Procedure in respect of employees with less than two year's continuous service.

In any organisation it is necessary to have a minimum number of rules in the interests of both the employer and the employee. Rules set standards of performance and behaviour, whilst the procedures are designed to help promote fairness and consistency in the treatment of individuals. It is the aim of the rules and procedures to emphasise and encourage improvement in the conduct of individuals where they are failing to meet the required standard. However, it is recognised that where improvement is not possible dismissal may result.

Every reasonable effort will be made to ensure that any action taken under this procedure will be fair and all employees will be given the opportunity to state his or her case and appeal against any decision he or she considers to be unjust.

The following principles will be adhered to when following the disciplinary process:

- All employees are made fully aware of the standards of performance, action and behaviour required of them;
- Disciplinary action, where necessary, will be taken without unreasonable delay and in a fair, uniform and consistent manner;
- An employee will only be subject to disciplinary action once there has been a reasonable investigation of the facts;
- The employee will have an opportunity to present his or her side of the case at a formal disciplinary hearing convened under this policy and procedure;
- All employees will have the right to be accompanied by a fellow employee or an accredited trade union official at any disciplinary or appeal hearing. Please note that an investigatory interview, prior to a disciplinary hearing, is not a formal stage in the disciplinary process;
- During any disciplinary hearing the employee will have a full and fair opportunity to state his or her case and answer any allegations that have been made;
- During any hearing, the employee will also be allowed to ask questions, present evidence, and be given an opportunity to raise points about any information provided by witnesses or relevant documentation;
- Requests to call witnesses or cross examine witnesses will be considered and accommodated where reasonable, practicable and proportionate in the circumstances of the case and where this does not conflict with any overriding duty the School may owe to another employee;
- Normally, no employee will be dismissed for a first breach of discipline except for the case of gross misconduct;
- If an employee is subject to the disciplinary process, he or she will receive both an explanation of the penalty imposed and will be entitled to appeal against the penalty in accordance with the appeals process set out in this policy and procedure.



## 2. Disciplinary procedure

In all but a few straightforward cases the school will first investigate all the allegations of potential disciplinary offences to establish the facts, before deciding whether to involve the formal disciplinary procedure.

It may be necessary for the school to suspend an employee whilst an investigation is taking place. Any suspension will be no longer than is reasonably necessary and will be on full pay. Suspension does not in itself constitute disciplinary action or imply any decision or judgment as to guilt.

If the school decides to invoke the formal disciplinary procedure it will adhere to the following procedure:

- The school will write to the employee inviting them to attend a disciplinary hearing.
- In the invitation letter, the school will set out the issues or allegations that are to be considered, the basis for them, indicate how seriously these are being viewed, the potential consequences and detail any intention to call witnesses.
- The school will attach any relevant documentation including any relevant witness statements to the invitation letter.
- The letter will also detail the employee's statutory right to be accompanied by either a work colleague or a trade union representative and confirm how this right can be exercised.
- The school will give the employee reasonable notice of the requirement to attend the disciplinary hearing in order to allow them a reasonable period of time to prepare their case.
- Disciplinary hearings where dismissal is not contemplated as a potential disciplinary sanction, should the allegation(s) be proved, will usually be conducted and determined by a member of the Senior Leadership Team or the Principal, or in the case of disciplinary proceedings involving the Principal, the Regional Head of Schools or other appointed person.
- Disciplinary hearings where dismissal may be contemplated as a potential disciplinary sanction should the allegation(s) be proved will usually be conducted and determined by a panel to include a representative from Orbital Education.

### **Any disciplinary hearing will be conducted in a manner to ensure that:**

- The employee will be given a full and fair opportunity to answer any allegations against them and to present his or her case and any relevant evidence he or she wishes to be considered and on which he or she would like to rely.
- The hearing will be minuted by a note taker and the employee will be supplied with a copy of the minutes as soon as is reasonably practicable after the hearing.
- No decisions will be reached during the hearing itself. The school will need to consider all the evidence together with the representations the employee has made, and in some cases may need to carry out further investigations before a decision can be reached.
- Once a decision has been reached, the school will write to the employee to confirm the outcome of the hearing.
- Where the decision has been to take formal disciplinary against an employee, he or she will be informed of the nature of the disciplinary sanction, the reasons behind the decision and any other conditions that he or she may be required to satisfy as a result of the disciplinary process.
- Where a disciplinary sanction has been imposed, he or she will also be informed of his or her right to appeal and the process to be followed should the employee wish to exercise this right in relation to the disciplinary decision reached.



## Severity of disciplinary action

- The severity of disciplinary action (if any) will be determined by the severity of the offence and any prior “live” disciplinary sanctions in the employee’s history. Due consideration will be given to any bona fide mitigating circumstances raised during the disciplinary process. The following is provided as guidance only.

## First written warning

- This will generally be applied as the first step of formal corrective action following unsatisfactory performance or conduct offences.
- A first written warning imposed as an outcome to the disciplinary process will be placed on the employee’s personnel file for a specified period of time which will be notified to the employee in the disciplinary outcome letter.
- The school will also specify, in the case of performance issues, reasonable and clear targets for improvement that the employee is required to attain within a reasonable review period.

## Final written warning and dismissal

- For more serious first offences, such as serious misconduct, the school may impose a final written warning.
- Alternatively, where an employee persists with an offence in relation to which they have a current and active first written warning or where an employee fails to achieve the required improvements within the review period specified in a previous disciplinary outcome, the School may impose a final written warning having followed the disciplinary procedure in respect of any persisting or additional offences.
- Continued failure to improve or repeat offences during an active period of a current final written warning may result in dismissal with notice or payment in lieu of notice.
- Where an allegation of gross misconduct is upheld, the school will normally dismiss summarily i.e. without notice or payment in lieu of notice. Employees should refer to the non-exhaustive list of examples of conduct that the School would normally regard as constituting gross misconduct.

## Alternative disciplinary sanctions

- The school may also consider and impose, having followed the Disciplinary Procedure in each case, additional or alternative sanctions including, but not limited to, demotion, disciplinary transfer, loss of seniority/pay or suspension without pay, as an alternative to dismissal.

## 3. Code of Conduct

As a school providing education to children, and as part of a group of international schools aiming to bring the best standards of British education to the world, we provide an extremely valuable and respected service to the communities we serve. As we are entrusted to develop and educate our children into global citizens of the future, we consider sky-high standards central to everything we do.

Central to upholding high standards is our own behaviour and values. We believe we play a critical role in upholding values of honesty and integrity, mutual respect, and in setting and maintaining standards of exemplary behaviour, acting in a fair, transparent and ethical way, at all times. It is only by demonstrating a shared commitment to these



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values, and modelling such behaviours, that we are able to instil similar core values and behaviour in our students, to support their successful futures.

Our values, high standards, and principles also impact and reflect upon our reputation, profile, and standing as a school. All employees must recognise that their conduct and behaviour is integral to ensuring this, and to upholding the school's reputation and standing in the community and in our marketplace. We not only require the highest standards from all employees in their performance at work but also in their general conduct outside of work, ensuring their behaviour and conduct does not adversely affect, or risk affecting, the school or group's standing and reputation, or bring the school or group into disrepute;

**At all times, you must ensure that you:**

- conduct yourself in a professional and competent manner which is courteous, respectful, reasonable and in willing cooperation with other colleagues, and at all times follow reasonable requests of your line manager and/or Principal;
- comply with the rules and procedures of any relevant association, regulatory and/or professional body to which the school or you may belong to;
- do not act in a way which conflicts, or risks conflicting, with the school's high values and principles referred to above and within this handbook, in both your professional capacity and in your personal life, or results in the possibility of a third-party concern regarding their suitability to work with children;
- value all students irrespective of ability, race, religion, gender or any other factor, treating all students with respect, dignity, sensitivity and fairness;
- act as positive role models for students at all times in the way you behave, act, and dress;
- do not carry out or engage in any type of behaviour which may be considered contrary to principles of fair treatment and equal opportunities, which is discriminatory, and/or likely to cause offence, concern, alarm or harm to any other individual or group of individuals (i.e. sex, race discrimination or harassment etc);
- are diligent, honest and ethical in the performance of your duties and devote your whole time, attention and abilities to your duties during working hours;
- have regard for the need to safeguard children's well-being at all times in accordance with statutory provisions, child welfare and safeguarding best practice. Any conversations with students should be professional and appropriate and staff should not discuss their personal lives. Staff should not engage with students on sites such as Facebook and should ensure that privacy settings are set to the highest level on social media and networking sites.
- attend staff briefings every week, as well as subject and professional development sessions as required;
- adhere to the same rules we expect of the students with regard to eating or drinking in lessons, on corridors or on duty i.e. only water. Staff should not have coffee cups in classrooms or carry them around the building.
- carry out duties;
- meet all deadlines;
- adhere to the school's policies, procedures, and handbook at all times;

This code of conduct is not intended to be exhaustive, but instead contains key principles and expectations around conduct.



Where an employee is believed to have acted contrary to this code of conduct, the issue may be considered and determined in accordance with the School's Disciplinary Procedure where felt appropriate, which may result in the employee being subject to disciplinary action.

#### 4. Gross misconduct

- An employee may be liable to summary dismissal without notice or pay in lieu of notice if he or she is found guilty of gross misconduct.
- The following are examples of issues which might constitute gross misconduct. These are illustrative only and do not constitute an exhaustive list.
  - Threatening or violent behaviour, fighting or physical assault;
  - A fundamental and/or wilful breach of the School rules, regulations and policies;
  - Gross negligence or dangerous behaviour, which causes or might cause unacceptable loss, damage or injury;
  - Grossly indecent or immoral behaviour;
  - Deliberate falsification of any records (e.g. Sickness Self-Certification Form and time-sheets) in respect of the employee or any fellow employee;
  - Undertaking private work on the premises and/or during working hours and wilful disregard of duties or of instructions;
  - Deliberate and serious breach of confidence relating to the school's or its students' affairs;
  - Theft or misappropriation of money or property whether belonging to the school, another employee or a third party;
  - Unauthorised consumption of alcohol on the premises, or reporting for work under the influence of alcohol or controlled drugs;
  - Any taking or possession of controlled drugs or stimulants, which have not been prescribed by a registered medical practitioner;
  - Destruction/sabotage of school property or any other property on the premises;
  - Serious health and safety breaches;
  - Gross insubordination and/or refusal to obey legitimate instructions given by any members of the Senior Leadership Team;
  - Any breach of a legal statute, which has a direct effect on the employee's ability to undertake stated duties and/or on the desired characteristics of his or her position;
  - Allowing or assisting any unauthorised person to gain entry to the premises;
  - Repeated absences from duty without authorisation;
  - Any fundamental and/or substantial breach of trust or unauthorised disclosure of information relating to the school's affairs to third parties.
  - A substantial failure to meet expected standards of work and/or behaviour amounting to serious neglect of duty;
  - Failure to inform the Senior Leadership Team of any criminal charges/convictions or police cautions that are relevant to the employee's employment;
  - Serious breaches of the school's Safeguarding and Child Protection Policies and Procedure;
  - Serious breaches of the school's Electronic Communications Policy;
  - In respect of teaching staff, serious breach of the standards of professional conduct as set out in the Teachers' Standards .



### 5. Behaviour Outside Working Hours

- The school demands employees of the highest integrity and expects all employees to maintain high standards outside working hours. Any outside activities, which could reasonably be regarded as detrimental to the reputation of the school, may lead to dismissal.
- As a condition of employment, employees are required to notify the school immediately of any criminal charges, cautions or conviction, plea of guilty or not guilty in respect of a criminal offence.

### 6. Disciplinary Appeal Procedure

- The Disciplinary Rules and Procedures, incorporate an employee's right to lodge an appeal in respect of any disciplinary action taken against them.
- If an employee wishes to exercise this right of appeal, he or she should write in the first instance to the Principal as soon as possible and normally within 10 working days of the member of staff receiving written details of any warning/sanction. The Principal will liaise with the Regional Head of School to convene an appeal hearing. Disciplinary appeals will usually be conducted and determined by a panel of three and where possible including a representative from Orbital Education. The appeal should be dealt with as promptly as possible, and wherever possible within 20 working days of the appeal being lodged.
- The employee has the right to be accompanied by a work colleague or an accredited trade union official at any disciplinary appeal meeting and will be given a full opportunity to state his or her case and put forward his or her version of events.
- The appeal hearing will be minuted by a note taker and the employee will be supplied with a copy of the minutes as soon as is reasonably practicable after the hearing.
- No decisions will be reached during the hearing itself. The school will need to consider all the evidence together with the representations the employee has made, and in some cases may need to carry out further investigations before a decision can be reached.
- The employee will be notified of the result of the appeal in writing without unreasonable delay. The appeal decision is the final stage of the school's disciplinary appeal procedure.

This policy will be reviewed every three years by the Principal  
This policy will be approved by Orbital Education.

Date when policy was last approved: September 2021  
Date when next review is due: September 2024