

# *The Elizabeth School of Dance*

<b>Procedure:</b> Disciplinary, Dismissal & Grievance Procedures		
Date adopted	Date of review	To be reviewed on/ by
April 2021	Aug 24	Aug 26

## Introduction

The Elizabeth School of Dance (ESOD) operates on a basis of trust and openness, however, there are boundaries to observe, and certain conduct is unacceptable. If a Teacher, assistant or volunteer of ESOD is found to have breached the code of conduct, any of the other school policies or behaved in an unacceptable way, they will be subject to the disciplinary procedures.

## Reasons for disciplinary action

- Breaching of or refusal to adhere to all of ESOD's policies or other school regulations
- Inappropriate behaviour that impacts on others within the ESOD- other teachers/ assistants/ students or others closely associated with the school
- Gross misconduct- An act of Gross Misconduct may result in being asked to leave the school. The following is a non-exhaustive list of examples of what might constitute Gross misconduct:
  - Theft of or malicious damage to ESOD property or venues hired by the ESOD
  - Incapacity for work due to being under the influence of alcohol or non-prescribed drugs
  - Physical assault and fighting
  - Sexual harassment
  - Serious breach of safe working practices
  - Abusive behaviour including sexist, racist and other oppressive behaviour.
  - Emotional abuse, gaslighting or intentional manipulation
  - Gross incapability – where the teacher or assistants' negligence or actions jeopardise the production (this may include failure to learn their part or take direction).

## Informal Approach

It is anticipated that an informal approach will resolve many issues and will be used in the first instance where appropriate. In this case, where the issue can be resolved, no record will be kept on file. If an informal approach is not effective, or if the offences are serious or repeated, formal disciplinary procedures will be used following the basic principles below.

## Formal Disciplinary Procedure

### **Basic principles:**

- Lead Teachers at the Elizabeth School of Dance (ESOD) should raise and deal with issues promptly and should not unreasonably delay meetings, decisions, or confirmation of decisions.

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- Lead Teachers at the Elizabeth School of Dance (ESOD) should act consistently.
- Lead Teachers at the Elizabeth School of Dance (ESOD) should carry out any necessary investigations, to establish the facts of the case.
- Lead Teachers at the Elizabeth School of Dance (ESOD) should inform the teacher/ assistant of the basis of the problem and give them an opportunity to put their case in response before any decisions are made.
- Lead Teachers at the Elizabeth School of Dance (ESOD) should allow teachers/ assistants to be accompanied at formal disciplinary meetings. They may be accompanied by an appropriate adult- someone not directly linked to or involved with the school.
- Lead Teachers at the Elizabeth School of Dance (ESOD) should allow a teacher/ assistant to appeal against any formal decision made.

## **Dealing with disciplinary issues**

Potential disciplinary matters will be investigated without unreasonable delay. In misconduct cases, where practicable, different people should carry out the investigation and disciplinary meeting. Suspension may be necessary during an investigation. This should be as brief as possible and should be kept under review. Suspension is not a disciplinary action. The teacher/ assistant concerned will be informed if there is a disciplinary case to answer. Notification will be in writing and should:

- Contain enough information to enable the teacher/ assistant to prepare to answer the case.
- Be accompanied by any relevant written evidence.

## **Hold a meeting with the teacher/ assistant to discuss the problem.**

- The meeting should be held without unreasonable delay but allow the teacher/ assistant reasonable time to prepare their case.
- Lead Teachers at the Elizabeth School of Dance (ESOD) and teacher/assistant concerned (and their companions) must make every effort to attend.
- Be accompanied by any relevant written evidence.
- At the meeting, the Lead Teacher should explain the complaint/ misconduct against the teacher/ assistant and go through the evidence that has been gathered.
- The teacher/assistant should be allowed to set out their case and answer any allegations.
- The teacher/ assistant should be given a reasonable opportunity to ask questions, present evidence, call relevant witnesses and be given an opportunity to raise points about any information provided by witnesses. Where a Lead Teacher or teacher/ assistant intends to call relevant witnesses, they should give advance notice that they intend to do this.

## **Disciplinary action**

- After the meeting, a decision will be made as to whether or not disciplinary or any other action is justified, ESOD will write to the teacher/ assistant with your decision.
- Where misconduct or unsatisfactory performance is confirmed, the teacher/ assistant will be given a written warning in the first instance.

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- A further act of misconduct or failure to improve performance within a set period result in a final written warning.
- If a teachers/ assistants first misconduct or unsatisfactory performance is sufficiently serious, it may be appropriate to move directly to a final written warning- in cases where the teachers/ assistant's actions have had, or are liable to have, a serious or harmful impact on the organisation.

Written warnings will set out the nature of the misconduct or poor performance and the change in behaviour or improvement in performance required (with timescale). The teacher/ assistant will be told how long the warning will remain current. The teacher/ assistant will be informed of the consequences of further misconduct/failure to improve performance, within the set period following a final warning. For instance: dismissal, demotion etc.

## **DISMISSALS**

A decision to dismiss should only be taken by a lead teacher with authority to do so. The teacher/ assistant should be informed as soon as possible of

- The reasons for the dismissal
- The date on which their teaching/ assisting status within the ESOD will end (with the appropriate period of notice)
- Their right of appeal.

Where a teacher/ assistant is persistently unable or unwilling to attend a disciplinary meeting without good cause the lead teacher should decide on the evidence available.

## **Gross misconduct**

When dealing with cases of gross misconduct, facts will be established before taking any action. A short period of suspension whilst investigation of the allegations takes place may be required. Suspension will only be imposed after careful consideration and will be kept under review. It should be made clear to the teacher/ assistant that the suspension is not a disciplinary action and does not involve any pre-judgment.

Teachers/ assistants will have the opportunity to appeal. Where a teacher/ assistant feels that disciplinary action taken against them is wrong or unjust, they will be able to appeal the decision. Teachers/ assistants should let lead teachers know the grounds for their appeal in writing.

- Appeals should be heard without unreasonable delay and ideally at an agreed time and place.
- The appeal should be dealt with impartially and where possible, by another lead teacher who has not previously been involved.

Teachers/ assistants should be informed in writing of the results as soon as possible.