



Staff Disciplinary Policy

Approved by:	Penny Harris (Director) Jane Cox (Director)	Date: 22 nd April 2026
Last reviewed on:	7 th May 2025	
Next review due by:	22 nd April 2027	

All policies are generated and reviewed with an awareness of equality and diversity in relation to pupils, staff and visitors. All policies are generated and reviewed placing safeguarding and wellbeing at the heart of all that we do.

1. Purpose

On Track Education firmly believes that the fairest way to resolve any problems relating to conduct or performance is to have a well-structured disciplinary procedure. The procedure is designed to help and encourage all employees to achieve and maintain On Track's standards of conduct, attendance and performance and should be looked upon as a corrective process.

2. Principles

Apart from an informal verbal warning, you have the following rights in relation to disciplinary action:

- to be informed of the allegations of misconduct or poor performance to be addressed at any disciplinary hearing
- to be accompanied by a work colleague or by an accredited trade union official
- to appeal against any disciplinary action.

The disciplinary procedure does not form part of your contract of employment.

3. Procedure

Formal Verbal Warning

In the case of conduct, attendance or performance not reaching the required standard, the problem will be discussed with you at a disciplinary hearing where you will be given the opportunity to offer a satisfactory explanation. If the explanation is

unsatisfactory, you will be issued with a formal verbal warning. The topics discussed at the meeting will be confirmed in writing to you and the verbal warning will remain on your file for six months.

Written Warning

A written warning will be issued following a disciplinary hearing where there is a current formal verbal warning on your file and sufficient improvement has not been made or where the misconduct or poor performance is serious enough to warrant On Track bypassing the formal verbal warning stage. A written warning will remain on file for 12 months.

Final Written Warning

If there is still insufficient improvement in your conduct, or if your performance is still unsatisfactory, you will be asked to attend a further disciplinary hearing. If no satisfactory explanation is offered for the lack of improvement, you will be issued with a final written warning that will remain on file for 12 months. If the misconduct is sufficiently serious to warrant only one warning but is not sufficiently serious to justify dismissal, a final written warning will be issued. You will be informed in your final written warning that any further misconduct or failure to meet the required standard will result in your dismissal.

Dismissal

Dismissal will normally result if you still fail to achieve the standard of conduct or performance required by On Track. You will be given every opportunity to offer an explanation for your failure to meet the required standards at a final disciplinary hearing. As with all previous stages of the disciplinary procedure you will be offered the right to be accompanied and the right to appeal against the decision.

If you are dismissed, you will be provided, as soon as is reasonably practicable, with the reasons for dismissal, the date on which your employment will terminate and details of how you may appeal. In exceptional circumstances, On Track reserves the right, as an alternative to dismissal, to impose a penalty of suspension without pay for up to a maximum of five working days, together with a final written warning that will remain on file for 12 months.

4. General

You will always be given as much information as possible regarding the allegations of misconduct, or any documentation detailing the shortfall in performance or capability that will form the basis of the disciplinary hearing. You will also be given fair and reasonable notice of the date and time of the hearing and whenever possible the disciplinary hearing will be held during your normal working hours.

Any disciplinary action will only be taken after a full investigation of the facts, and if it is necessary to suspend you for this period of time, you will receive your normal rate of pay.

If you are prevented from attending your place of work and/or performing your job duties as a result of Police bail conditions, or because of an order or direction given by a court or relevant regulatory body, then the duration of any such period will be without pay.

On Track reserves the right to vary the disciplinary procedure dependent on either the seriousness of the allegations of misconduct or capability to be addressed, or if you only have a short amount of service. If you are a short service employee or are still within the probationary period, you may not be issued with any warnings before dismissal.

NB On Track reserves the right to deduct from pay the cost of any damage or loss to property or goods, which after a disciplinary hearing was found to have been caused by your negligence or vandalism.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without our express written authorisation. You should note that unauthorised recording may result in action under the disciplinary procedure, which may include dismissal for gross misconduct.

5. Conduct Covered at Work

On Track Education Services is committed to safeguarding and promoting the welfare of children and young people and expects all employees to share this commitment. On Track expects all employees to behave in a normal and reasonable manner. It is not practicable to specify all disciplinary rules or offences that may result in disciplinary action, as they may vary depending on the nature of the work. In addition to the general rules and rules on gross misconduct listed, a breach of other specific conditions, procedures, rules etc. that have been made known to you, will also result in the disciplinary procedure being used to deal with such matters. The following list provides examples of the type of conduct that On Track would expect:

- To work within the published company policies at all times
- To adhere to the Staff Code of Conduct Policy at all times.
- To behave professionally at all times
- To participate in all training required
- To be punctual for the start of work and to keep within the break times.
- To give regular attendance at work and to minimise all absenteeism.
- To be courteous, helpful and polite to all those with whom you have contact.
- To devote all your time and attention, whilst at work, to the business of On Track and ensure that all its property including confidential information, records, equipment, information technology, etc., is kept safe and used correctly.
- To comply with all On Track's rules and regulations and to observe and perform all the terms of your employment as set out or referred to in your Contract of Employment.
- Not to be involved with any company, client or agent who is in direct competition with this Company. You are expected to devote all your loyalty to On Track.

On Track Education Services may need to change the rules from time to time and any such changes will be notified to you as appropriate.

6. Conduct outside working hours

Normally On Track has no jurisdiction over employee activity outside working hours. Behaviour outside working hours will only become an issue if the activities adversely affect the Company. Adverse publicity, bringing the Company name into disrepute, or actions that result in loss of faith in the Company, resulting in loss of business, or loss of faith in the integrity of the individual, will result in the disciplinary procedure being instigated. The detriment suffered by On Track will determine the level of misconduct and it will also determine which disciplinary stage is most appropriate to suit the circumstances. If the actions cause extreme embarrassment or serious damage to On Track's reputation or image, a decision may be taken to terminate the employment. The Company's procedures covering disciplinary hearings and appeals still apply.

7. Gross Misconduct

Gross misconduct will result in summary dismissal, which means you lose your right to notice or pay in lieu of notice. Here is a list of offences that are normally regarded as "gross misconduct". It is not exhaustive and any behaviour or negligence resulting in a fundamental breach of contractual terms that irrevocably destroys the trust and confidence necessary to continue the employment relationship will constitute gross misconduct. This list describes the kind of offence that can result in summary dismissal:

- Deliberate failure to comply with the published policies and procedures of On Track, including those covering safeguarding of children and young people, staff conduct, security, health and safety, equality, the Internet (e-safety), etc.
- Deliberate falsification of records.
- The committing of offences against current discrimination legislation whilst acting on behalf of On Track.
- Fighting or assaulting another person.
- Using threatening or offensive language towards pupils, colleagues, visitors or any other person
- Making yourself unfit to work by solvent abuse, drinking alcohol, taking of illegal substances or failing to follow medical instructions on prescribed drugs.
- Being in unauthorised possession of company property.
- Being in possession of illegal drugs and substances or alcohol whilst on company premises.
- Obscene behaviour.
- Behaviour likely to bring On Track into disrepute.
- Wilful and deliberate damage to or misuse of On Track property.
- Refusal to carry out reasonable duties or instructions.
- Conviction on a criminal charge that is relevant to your employment with On Track.
- The misuse including use for personal gain, of confidential information in the course of working for On Track.
- Undertaking private work on the premises without permission.

8. Disciplinary Appeal Procedure

At each stage of the disciplinary procedure, you will be given the right of appeal. If you wish to exercise your right of appeal, you should put your reasons in writing to the HR department within five working days of receiving written confirmation of the disciplinary decision taken against you. You will need to explain why you feel the decision is unfair, or inappropriate in relation to the matters addressed at the disciplinary hearing. If you have any new information or evidence to support your appeal, please give details in full and include the names of any witnesses you may wish to call to support you in your appeal. This is in order that there will be sufficient time to investigate any additional information before the appeal hearing. You are entitled to be accompanied at the appeal hearing by a work colleague or by an accredited trade union official. Although the purpose of the appeal is to review any disciplinary penalty imposed, it cannot increase the disciplinary penalty. The decision of the person dealing with the appeal is final.

It is not permissible to record, whether audio and/or visual, any meetings which take place as part of this procedure, without our express written authorisation. You should note that unauthorised recording may result in action under the disciplinary procedure, which may include dismissal for gross misconduct.

The Company reserves the right to vary the disciplinary procedure dependent on either the seriousness of the allegations of misconduct or capability to be addressed, or if you only have a short amount of service. It also reserves the right to call on a third party to assist with the disciplinary process.