

Quality Management System

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Procedure Title

Disciplinary Procedure

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Disciplinary Procedure

	Responsibility
1.0 Purpose 1.1 To encourage members of staff to achieve and monitor acceptable standards of conduct at work. 1.2 To promote fair and consistent treatment of all staff members of the Bishop Auckland College Group (the Group) and to maintain good employee relations.	
2.0 Scope 2.1 This procedure applies to all members of staff within the Group with the exception of designated senior postholders, as defined in the Articles of Government (ref: 3.1) 2.2 The procedure does not apply to termination of employment on the grounds of redundancy or permanent ill-health (for which separate procedures apply); to the termination of a temporary contract of employment by completion; to the expiry of a fixed term contract; or where staff within their probationary period do not reach required standards of performance or conduct. 2.3 It is recognised that disciplinary action against a trade union officer could be seen as an attack on the union's functions. Although, normal disciplinary standards will apply to their conduct as employees, no disciplinary action past the first formal stage should be taken until the circumstances of the case have been discussed with a full time official. 2.4 Any member of staff has the right to be accompanied and represented by a trade union or workplace colleague at any formal stage (ref: 5.3) onwards. 2.5 No disciplinary action will be taken against a member of staff until the circumstances have been reasonably investigated (if required). If appropriate, the Group may suspend the employee, in accordance with section 5.1 below, whilst the investigation is carried out.	

	Responsibility
2.6 No formal disciplinary action will be imposed without the opportunity of a disciplinary hearing other than in cases of serious or gross misconduct, when the penalty may be dismissal without notice or payment in lieu of notice. A member of staff will normally have the right to appeal against any formal disciplinary sanction imposed.	
2.7 Normally, the procedure will be followed in the order of the stages. However, offences of a serious nature may be brought into the procedure at any stage or there may be occasions when misconduct is considered not to be so serious as to justify dismissal, but serious enough to warrant a Final Written Warning. At every stage of the procedure, the employee will be advised of the nature of the complaint against them and will be given the opportunity to state their case before any decision is made.	
2.8 If the Group deems mediation to be the most appropriate method resolving any dispute, the Disciplinary Procedure can be suspended.	
2.9 Should the Executive Director of People or Executive Team member be subject to the Disciplinary Procedure, their role in the procedure shall be undertaken by a member of staff designated by the Principal/Chief Executive.	
2.10 If at any time the College feel that any safeguarding issues are identified (including any concerns in relation to the Prevent agenda), the Safeguarding Policy (ref: POL-CP-01) should be referred to.	
2.11 If at any time, it is deemed that the disciplinary issue is a safeguarding concern or allegation against a member of staff (including any concerns in relation to the prevent agenda), the disciplinary issue must be considered in line with the Safeguarding concerns and allegations against a member of staff policy (ref: POL-HR-12).	

	Responsibility
2.12 This procedure does not form part of a member of staff's contract of employment.	
2.13 As this procedure involves processing personal data, data protection regulations will be adhered to. Please refer to the General Data Protection Regulation Policy (ref: POL-DP-01) for further information.	
3.0 Principles	
3.1 Articles of Government – available from the Clerk to the Corporation.	
3.2 Guidelines for Completing a Quality Records Schedule (Q-QR-01)	
3.3 General Data Protection Regulation Policy (POL-DP-01)	
3.4 Safeguarding Policy (POL-CP-01)	
3.5 Safeguarding concerns and allegations against a member of staff policy (POL-HR-12)	
4.0 Definitions	
4.1 Personal File - a file held in the Human Resources department which details a member of staff's personal record.	
4.2 Investigating Officer – a member of management appointed by the Executive Director of People /designate to undertake an investigation into a disciplinary situation. The Executive Director People/designate will consider any conflicts of interest, and availability of the proposed manager when ascertaining the most suitable Investigating Officer.	
4.3 Executive Director of People/designate – in the absence of the Executive Director of People, a member of the HR team or Executive team will act as designate.	
4.4 HR – Human Resources	

5.0 Procedure	Responsibility
5.1 SUSPENSION FROM WORK	
5.1.1 If a line manager, at any time, believes that there are grounds for doubt, as to the suitability of the member of staff's continuing attendance at work e.g. in the case of potential gross misconduct (ref HR-DP-01) or where suspension may assist in the completion of an investigation into the member of staff's alleged misconduct, the line manager/ designate will complete a Request for Suspension Form (ref HR-DP-03) and discuss the situation immediately with the Executive Director of People/ designate. Note: Such a suspension should only be imposed after careful consideration and it should be made clear to the employee that it is not considered a disciplinary action.	Line manager/ Designate
5.1.2 When the Executive Director of People agrees that a member of staff may have been guilty of serious misconduct, gross misconduct, or suspension may assist in the completion of an investigation the Executive Director of People/designate may suspend the member of staff from work pending an investigation and the holding of a formal disciplinary hearing. Wherever possible the Executive Director of People will seek approval from the Principal/Chief Executive/designate prior to suspension.	Executive Director of People/ designate
5.1.3 In such cases, the Executive Director of People/designate will inform the member of staff, immediately, of their suspension from work. A member of staff who is suspended from work shall, throughout the period of suspension, continue to be entitled their full pay.	Executive Director of People/ designate

	Responsibility
5.1.4 Within 2 working days of the member of staff's suspension from work, the Executive Director of People/designate will confirm the suspension, in writing, forwarding a letter of suspension to the member of staff, detailing the following: (a) The reason why the member of staff has been suspended from work. (b) The period of time the member of staff is to be suspended from work (this could be an indefinite period of time depending upon the circumstances; however, the suspension period will be reviewed regularly). (c) The action which is to be taken by the Group during the member of staff's suspension from work (this would be about the investigation and how it will be conducted). (d) An independent contact name to obtain information on the progress of the investigation.	Executive Director of People/ designate
5.1.5 If it is deemed that a staff member needs to be suspended out of normal working hours, the Duty Manager has authority to suspend a member of staff from work.	Duty Manager
5.1.6 If a Duty Manager has deemed it necessary to suspend a member of staff, they must report this incident immediately to the Executive Director of People/designate upon the normal working hours resuming.	Duty Manager
5.1.7 The Executive Director of People/designate will then inform the Principal/Chief Executive and follow the above procedure from 5.1.4.	Executive Director of People/ designate
5.1.8 If requested by the member of staff, the Executive Director of People/designate will forward a copy of the suspension letter, under confidential cover, within five working days, to the member of staff's trade union representative/workplace colleague.	Executive Director of People/ designate

	Responsibility
5.1.9 The Executive Director of People/designate will arrange for the appropriate administration to be undertaken, in respect of the member of staff's suspension from work, and will arrange for a copy of the suspension letter to be placed on the member of staff's personal file.	Executive Director of People/ designate
5.1.10 Following the member of staff's suspension from work, the Executive Director of People/ designate will arrange for the procedure to be followed, as detailed from 5.5 onwards.	Executive Director of People/ designate
Note: where the suspension is pending a criminal investigation, the Group reserves the right to review the suspension after a period of 3 months.	
Note: where this is in relation to a safeguarding concern or allegation against a member of staff, account must be taken of the Safeguarding concerns and allegations against a member of staff policy (ref: POL-HR-12).	
5.2 INFORMAL STAGE DISCIPLINARY	
5.2.1 If a member of staff's conduct gives cause for concern, the staff member's line manager should arrange a meeting with the staff member. At the meeting, the line manager will discuss concerns, give the staff member the opportunity to comment on these concerns and discuss standards of conduct expected from the staff member. Following the discussion, the line manager may deem it necessary to issue an informal warning under the Disciplinary Procedure. If this is issued, the line manager and staff member should agree any actions that need to be completed as well as any support that is required.	Line Manager
5.2.2 The line manager will monitor the situation, normally for a period of four weeks and ensure that any support agreed is put in place. The timescale, however, may be extended if there are exceptional circumstances or could be brought forward if it is felt necessary.	Line Manager

	Responsibility
5.2.3 Following a review of the concern and at any point following the informal warning, if it is established that the staff member's conduct has not improved to an acceptable standard, or their improvement has not been sustainable, the line manager will discuss the concern/s with HR and request a first formal stage disciplinary meeting to be arranged.	Line Manager
5.3 FIRST FORMAL STAGE – WRITTEN WARNING	
5.3.1 Following an informal concern raised by a line manager, where the conduct has not improved as required, where the improvement has not been sustainable or where a disciplinary concern warrant commencing at the First Formal Stage, the line manager/designate will discuss the issue with HR and will arrange for a disciplinary hearing to be held.	Line manager/designate
5.3.2 Prior to a disciplinary hearing taking place, a line manager/designate will establish the facts of the case and, where appropriate, interview any individuals involved with the case. The line manager/designate should take written statements, if necessary, from any individuals involved.	Line manager/designate
5.3.3 After the line manager/designate has considered the facts, they will request HR to inform the member of staff in writing of the following: a) The date, time and place of the disciplinary hearing b) Sufficient details of the reasons for disciplinary action to enable the member of staff to plan defence of their case and/or to submit additional information or evidence, including details of the nature of the evidence which will be used at the hearing c) The member of staff's right to be accompanied by a recognised trade union representative or by a workplace colleague. d) Notification that the member of staff will have the right to state their case e) Details of what will happen if the staff member does not attend the hearing.	Line manager/designate

	Responsibility
5.3.4 The Executive Director of People/designate will arrange for copies of the correspondence/ documents, as detailed in 5.3.3 above, to be forwarded, under confidential cover, to the line manager/ designate and to the member of staff, and if required to their trade union representative/workplace colleague	Executive Director of People/ designate
5.3.5 The Executive Director of People/designate will arrange for the correspondence, detailed as above, to be placed in the staff member's personal file.	Executive Director of People/ designate
5.3.6 At the disciplinary hearing the relevant line manager/designate and Executive Director of People/designate will discuss the infringement of conduct and the supporting evidence with the member of staff and their trade union representative/ workplace colleague.	Line manager/ Executive Director of People /designate
5.3.7 The member of staff and/or their trade union representative/ workplace colleague, if appropriate, will state the member of staff's case.	Member of Staff
5.3.8 The line manager/designate and the Executive Director of People/designate after consideration of the member of staff's case, will adjourn to decide what disciplinary action, if any, is required and will then give their decision verbally to the member of staff.	Line manager/ Executive Director of People /designate
5.3.9 If it is considered that the disciplinary issue is of a serious nature, the member of staff will be issued with a written warning.	Line manager/ Executive Director of People /designate
5.3.10 The Executive Director of People/designate will advise the member of staff of their right to appeal against the warning, in writing to a member of the Executive Team within 10 working days (see section 5.6).	Executive Director of People/ designate
Note: where it is not possible for a member of the Executive Team to hear the appeal, a relevant designate may be considered.	

	Responsibility
5.3.11 A copy of the written warning will be recorded in writing and forwarded, under confidential cover, to the member of staff and if requested the member of staff's trade union representative/ workplace colleague.	Executive Director of People/ designate
5.3.12 The Executive Director of People/designate will arrange for the written warning to be placed on the member of staff's personal file. Subject to satisfactory conduct and performance, the written warning will be disregarded for disciplinary purposes, after 12 months from the date of issue.	Executive Director of People/ designate
5.4 SECOND FORMAL STAGE – FINAL WRITTEN WARNING	
5.4.1 If the member staff continues to infringe the established standards of conduct after the issue of a written warning, or if the line manager/ designate considers that a member of staff may have infringed the established standards of conduct in a more serious manner (ref HR-DP-01), which may require more than a written warning, then the Line Manager/ designate will complete the Request for Disciplinary Action (ref HR-DP-06) and will immediately discuss this with the Executive Director of People/designate.	Line manager/ designate
5.4.2 On receipt of the Request for Disciplinary Action, the Executive Director of People/designate will acknowledge receipt of the request in writing to the member of staff and inform them that investigations will be instigated.	Executive Director of People/designate
5.4.3 The Executive Director of People/designate will appoint an Investigating Officer, or Officers if appropriate, who will undertake an investigation of the disciplinary situation.	Executive Director of People/designate
5.4.4 The Investigating Officer(s) will interview the member of staff against who disciplinary action is being taken and the member of staff's line manager, if relevant. The Investigating Officer(s) will establish the facts of the case, and where appropriate, interview any other individuals involved in the case.	Investigating Officer(s)

	Responsibility
5.4.5 The Investigating Officer(s) should take written statements, if necessary, from all the individuals involved.	Investigating Officer(s)
5.4.6 The Investigating Officer(s) will complete the investigation, document the findings and formally present their report to the Executive Director of People/Designate and a Executive Team member within 10 working days of being assigned the investigation.	Investigating Officer(s)
Note: the presentation will enable the Executive Director of People/ designate and Executive Team member to ask questions of the Investigating Officer(s) in order to clarify any points and expand upon supporting evidence etc.	
5.4.7 Where the investigation is complex or if there are extenuating circumstances which will prevent the Investigating Officer from concluding the investigation within 10 working days, they must notify the Executive Director of People/designate and agree a realistic deadline date. The Executive Director of People/designate will notify the staff member.	Investigating Officer(s)/ Executive Director of People/ designate
5.4.8 The Executive Team member and the Executive Director of People/designate will consider the facts of the case, and if deemed appropriate a disciplinary hearing will be arranged.	Executive Team member/ Executive Director of People/ designate
5.4.9 The Executive Director of People/designate, in such cases, will inform the member of staff in writing, of the following: a) The date, time and place of the disciplinary hearing b) Sufficient details of the reasons for disciplinary action to enable the member of staff to plan defence of their case and/or to submit additional information or evidence, including details of the nature of the evidence which will be used at the hearing Note: the member of staff will be provided with a copy of the Investigating Officer's report and any other relevant documentation	Executive Director of People/ designate

	Responsibility
c) The member of staff's right to be accompanied by a recognised trade union representative or by a workplace colleague. d) Notification that the member of staff will have the right to state their case e) Details of what will happen if the staff member does not attend the hearing.	
5.4.10 The Executive Director of People/designate will arrange for copies of the correspondence detailed in 5.4.9 above to be forwarded, under confidential cover, to the member of staff's line manager if appropriate and the relevant Executive Team member.	Executive Director of People/ designate
5.4.11 The line manager/designate and the Executive Director of People/designate will conduct the disciplinary hearing,	Line manager/ Executive Director of People /designate
5.4.12 The line manager/ designate will discuss the allegations and then will offer the staff member the opportunity to discuss their case.	Line manager/ designate
5.4.13 After considering the staff member's case, the line manager/ designate will adjourn the meeting.	Line manager/ designate
5.4.14 The line manager/ designate will reconvene the meeting and will give a verbal decision after considering all of the facts.	Line manager/ designate
5.4.15 If the line manager/ designate and Executive Director of People/ designate consider the disciplinary issue or misconduct to be of a serious nature, or if the member of staff has already on file a current written warning relating to the disciplinary issue, they may issue the member of staff with a Final Written Warning.	Line manager/ designate Executive Director of People/designate

	Responsibility
5.4.16 If a Final Written Warning is issued, the line manager/ designate will include the following information on the warning letter: (a) The reason why the member of staff is being given the Final Written Warning (b) The action or improvement which is required of the staff member and any appropriate time limits (c) Where appropriate, what counselling, support and training will be given (d) That if this action or improvement does not take place or if there is further need for disciplinary action within the specified period, the fact that the member of staff may be subject to more serious disciplinary action (e) The nature of any further disciplinary action (f) The member of staff's right to appeal and the time limit for that appeal (ref 5.6).	Line manager/ designate
5.4.17 The Executive Director of People/designate will arrange for the Final Written Warning to be recorded in writing and forwarded under confidential cover, to the member of staff, and if requested, the member of staff's trade union representative/ workplace colleague.	Executive Director of People/designate
5.4.18 The Executive Director of People/designate will arrange for the Final Written Warning to be placed on the member of staff's personal file. The Final Written Warning will be disregarded for disciplinary purposes 18 months from the date of issue, subject to satisfactory conduct and performance.	Executive Director of People/designate
5.5 FINAL STAGE – DISMISSAL	
5.5.1 If a member of staff continues to infringe the established standards of conduct after the issue of a Final Written Warning, or if a line manager/designate considers the member of staff may have infringed the established standards of conduct in a most serious manner, then the line manager/designate will complete the Request for Disciplinary Action (ref HR-DP-06) and will immediately discuss this with the Director of HR/ designate.	Line manager/ designate

	Responsibility
5.5.2 On receipt of the Request for Disciplinary Action, the Executive Director of People/ designate will acknowledge receipt of the request in writing to the member of staff and inform him/her that investigations will be instigated.	Executive Director of People/designate
5.5.3 The Executive Director of People/designate will appoint an Investigating Officer, or Officers if appropriate, who will undertake an investigation of the disciplinary situation.	Executive Director of People/designate
5.5.4 The Investigating Officer(s) will interview the member of staff against whom disciplinary action is being taken and the member of staff's line manager, if relevant. The Investigating Officer(s) will establish the facts of the case, and where appropriate, interview any other individuals involved in the case	Investigating Officer(s)
5.5.5 The Investigating Officer(s) should take written statements, if necessary, from all the individuals involved.	Investigating Officer(s)
5.5.6 The Investigating Officer(s) will complete the investigation, document the findings and formally present his/her/their report to the Executive Team member and Executive Director of People/designate within 10 working days of being assigned the investigation.	Investigating Officer(s)
5.5.7 Where the investigation is complex or there are extenuating circumstances which will prevent the Investigating Officer from concluding the investigation within 10 working days, they must notify the Executive Director of People/designate and agree a realistic deadline date. The Executive Director of People/designate will notify the staff member.	Investigating Officer(s)
Note: The presentation will enable the Executive Director of People/designate and Executive Team member to ask questions of the Investigating Officer(s) in order to clarify any points, expand upon supporting evidence etc.	

	Responsibility
5.5.8 The Executive Director of People/designate and Executive Team member will consider the facts of the case, and if deemed appropriate a disciplinary hearing will be arranged	Executive Director of People/ designate/ Executive team member
5.5.9 The Executive Director of People/designate in such cases, will inform the member of staff in writing of the following: (a) The date, time and place of the disciplinary hearing. (b) Sufficient details of the reasons for disciplinary action to enable the member of staff to make arrangements for defence of their case and/or to submit additional information or evidence, including details of the nature of the evidence which will be used at the hearing	Executive Director of People/designate
Note: The member of staff will be provided with a copy of the Investigating Officer's Report and any other relevant documentation.	
(c) The member of staff's right to be accompanied by a recognised trade union representative or by a workplace colleague. (d) Notification that the member of staff will have the right to state their case (e) Details of what will happen if the staff member does not attend the hearing.	
5.5.10 The Executive Director of People/designate will arrange for copies of the correspondence, documents, as detailed in 5.5.9 above, to be forwarded, under confidential cover, to the member of staff's line manager (if appropriate) and to the relevant Executive Team member.	Executive Director of People/designate
5.5.11 At the disciplinary hearing, the Executive Team member and Executive Director of People/ designate will discuss the infringement of conduct and the supporting evidence with the member of staff (and their trade union representative/workplace colleague).	Executive Director of People /designate/ Executive Team member

	Responsibility
5.5.12 The member of staff and/or their trade union representative/workplace colleague, if appropriate, will state the member of staff's case.	Staff Member
5.5.13 The Executive Team member and Executive Director of People/designate, after consideration of the member of staff's case, will adjourn to decide what disciplinary action, if any, is required and will then give their decision verbally to the member of staff.	Executive Team member/ Executive Director of People/designate
5.5.14 If the Executive Team member/Executive Director of People/designate considers the disciplinary issue or misconduct is serious enough to warrant dismissal, they will consult with the Principal/Chief Executive/ designate. This consultation will take place immediately where possible. If for any reason there will be a delay in this consultation, the timeframe will be communicated to the staff member.	Executive Team member/ Executive Director of People/designate
5.5.15 As an alternative to dismissal the Group may consider different disciplinary sanctions such as demotion/redeployment	Principal/ Chief Executive
5.5.16 The Principal/Chief Executive may decide to invoke such sanctions, after careful consideration. If this is the case the Executive Team member will discuss these sanctions with the staff member and will forward to them a letter detailing the sanctions to be invoked, which will contain the following information: (a) The reason why these sanctions have been used. (b) The action of improvement which is required of the member of staff and any appropriate time limits. (c) What counselling, support and training will be given. (d) The fact that the member of staff may be subject to more serious disciplinary action, if this action or improvement does not take place, or if there is further need for disciplinary action within the specified period. (e) The nature of any further disciplinary action. (f) The member of staff's right to appeal and the time limit for appeal (ref: 5.6)	Principal/ Chief Executive

	Responsibility
5.5.17 The Executive Team member will forward a copy of the letter detailing the sanctions to be invoked to the Executive Director of People/designate and the member of staff's trade union representative/workplace colleague, if requested.	Executive Team member
5.5.18 The Executive Director of People/designate will arrange for the correspondence, as detailed in 5.5.9 and 5.5.16 above, to be placed on the member of staff's personal file and will arrange for the appropriate administrative arrangements to be undertaken in respect of the demotion/ redeployment of the member of staff.	Executive Director of People/designate
5.5.19 Following the hearing, the Principal/Chief Executive/designate may agree that the member of staff's employment within the Group is terminated. If this is to be the case, the Executive Team member/designate will forward a letter of dismissal to the member of staff, which will contain the following information: (a) The reason why their employment is being terminated. (b) The period of notice to be given or details of any payment in lieu of notice. (c) The member of staff's right to appeal and the time limit for appeal (ref: 5.6)	Executive Team member
5.5.20 In cases where a member of staff is dismissed from employment within the Group, other than in respect of cases involving gross misconduct, the Executive Team member must ensure that any appeal requested, takes place before dismissal takes effect (ref 5.6).	Executive Team member
5.5.21 The Executive Team member will forward a copy of the letter of dismissal to the Executive Director of People and to the member of staff's trade union representative/ workplace colleague, if requested.	Executive Team member
5.5.22 The Executive Director of People/designate will file the letter of dismissal on the member of staff's personal file and will undertake all necessary administrative arrangements in respect of the member of staff's termination of employment.	Executive Director of People/designate

	Responsibility
5.6 RIGHT OF APPEAL If a member of staff has received a formal disciplinary sanction and feels that this is unfair, they have the right to submit an appeal to have the sanction reconsidered as is set out below. The person hearing the appeal may agree with the sanction and this will stand as it is, they may disagree with the sanction and it can be overturned or they may feel that the sanction was not severe enough and may impose a higher sanction. 5.6.1 The member of staff has the right to appeal against the following actions: (a) The issue of a Written Warning – appeal should be made to an Executive Team member. (b) The issue of a Final Written Warning appeal should be made to the Principal/Chief Executive. (c) The termination of a member of staff's employment within the Group - appeal should be made to Chair of the Corporate Board/ designate Board member or Executive Council member. (d) The invocation of sanctions other than termination - appeal should be made to the Chair of the Corporate Board/ designate Board member or Executive Council member. Appeal against the Issue of a Written Warning 5.6.2 The member of staff must appeal to an Executive Team member in writing, within 10 working days of receipt of the Written Warning. This should include details of why the member of staff is appealing the sanction given. 5.6.3 The Executive Team member/designate, on receipt of the member of staff's letter, will arrange a meeting between the member of staff, their trade union representative and his/her line manager/ designate.	Member of Staff
	Member of Staff Executive Team member/ designate

	Responsibility
5.6.4 The Executive Team member/designate will hear the college's case, given by the line manager/ designate and will hear the member of staff's case given by them or by their trade union representative/workplace colleague, if appropriate.	Executive Team member/designate
5.6.5 The Executive Team member/designate will ask questions of the line manager/ designate and of the member of staff or his/her trade union representative/workplace colleague, if appropriate.	Executive Team member/designate
5.6.6 The Executive Team member/designate will come to a decision, based on the facts of the case, and will inform the line manager/ designate and member of staff, verbally, of their decision.	Executive Team member/designate
5.6.7 The Executive Team member/designate will inform the member of staff and the member of staff's trade union representative/ workplace colleague, if requested of their decision, in writing, within 10 working days of the appeal meeting.	Executive Team member/designate
5.6.8 The Executive Team member/designate will file all associated correspondence on the member of staff's personal file	Executive Team member/designate
Appeal against the Issue of a Final Written Warning	
5.6.9 The member of staff must appeal to the Principal/Chief Executive, in writing, within 10 working days of the issue of a Final Written Warning. This should include details of why the member of staff is appealing the sanction given.	Member of Staff
5.6.10 The Principal/Chief Executive, on receipt of the member of staff's letter, will arrange a meeting between the member of staff, their trade union representative/workplace colleague and the line manager/ designate.	Principal/ Chief Executive
5.6.11 The Principal/Chief Executive will hear the college's case, given by the line manager/ designate and will hear the member of staff's case, given by them or by their trade union representative/workplace colleague, if requested.	Principal/ Chief Executive

	Responsibility
5.6.12 The Principal/Chief Executive will ask questions of the line manager/designate and of the member of staff, or their trade union representative/workplace colleague, if appropriate.	Principal/ Chief Executive
5.6.13 The Principal/Chief Executive will come to a decision based on the facts of the case, and will inform the line manager/ designate verbally of their decision.	Principal/ Chief Executive
5.6.14 The Principal/Chief Executive will inform the member of staff and the member of staff's trade union representative/workplace colleague, if requested, of their decision, in writing, within 10 days of the appeal meeting. They will forward a copy of the correspondence concerned, under confidential cover, to the Executive Director of People/Designate.	Principal/ Chief Executive
5.6.15 The Executive Director of People/designate will file the correspondence, on the member of staff's personal file.	Director of HR/designate
Appeal against the Termination of a Member of Staff's Employment at the College and Appeal against the Invocation of Sanctions.	
5.6.16 The member of staff must appeal to the Chair of the Corporate Board/Chair of the Executive Council, in writing, including the reason for the appeal within 14 working days, of receipt of the following notification: (a) The termination of the member of staff's employment. (b) The invocation of sanctions.	Member of Staff
5.6.17 On receipt of the member of staff's letter the Chair of the Corporate Board/Chair of the Executive Council/designate Board member will convene an appeal hearing which will follow the procedure as laid down in the Conduct of Disciplinary Appeal Hearing Guidelines (ref HR-DP-09).	Chair of the Corporate Board/ Designate Board member

	Responsibility
5.7 Privacy Notice It is the Group's policy that the recording of meetings is not permitted. Recording of any meeting would be in breach of the policy and would be grounds for separate disciplinary action. The Group may make written notes during a meeting and a staff member, or their companion, would also be free to make written notes as appropriate. If a staff member refuses to confirm that they are not recording the meeting when asked, or confirms that they are recording the meeting, it may be appropriate for the Chair to adjourn the meeting.	
5.8 RECORDS 5.8.1 The Executive Director of People/designate is responsible for maintaining the documented records associated with this procedure. They will determine the records to be held, their location, retention period and disposition using the 'Guidelines for Completing a Quality Records Schedule' (ref 3.2) for reference. The Quality Records Schedule associated with this procedure is included in section 7.	Executive Director of People/designate
6.0 Documentation 6.1 HR-DP-01 Bishop Auckland College - Code of Conduct 6.2 HR-DP-03 Request for Suspension 6.3 HR-DP-06 Request for Disciplinary Action 6.4 HR-DP-09 Conduct of Disciplinary Appeal Hearing Guidelines	

7.0 Quality Records Schedule

Identification of Record	Medium	Storage Location/Protection	Retention Period	Access Rights/Retrieval	Method of Disposal
Request for Suspension (HR-DP-03)	Paper Based	Staff Member's personal file in HR Office / locked in filing cabinet in a locked office	10 years from date of leaving employment	HR staff, /Chief Executive/line manager	Destroyed as Confidential Waste (Shredded)/Deleted
	Electronic version	Person's file on HR system			
Request for Disciplinary Action (HR-DP-06)	Paper Based	Staff Member's personal file in HR Office / locked in filing cabinet in a locked office	10 years from date of leaving employment	HR Staff / /Chief Executive/line manager	Destroyed as Confidential Waste (Shredded)/Deleted
	Electronic version	Person's file on HR system			

Contact Information

For questions or feedback regarding this Procedure, please contact:

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