



DISCIPLINARY RULES

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Date of next review:	April 2021	Owner:	CEO
Type of policy:	Trust	LGB or Board approval:	Board

1. Introduction

These rules set out the standards of conduct and performance at work that the Victoria Academies Trust expects of its employees, and an indication of action/behaviour that is not acceptable.

It is emphasised that the list is neither exclusive nor exhaustive and there may be other offences which will render disciplinary action necessary. In some instances, the conduct detailed below may be considered sufficiently serious to be gross misconduct.

Disciplinary action will be taken in accordance with the disciplinary procedure. That procedure provides that, amongst other things, before any disciplinary action is taken against the employee they shall be informed of the complaint against them, and have the right to state their case and to be accompanied by a trade union representative or work colleague. A copy of the disciplinary procedure is available from the school.

2. Examples of conduct which can lead to disciplinary action

Disobedience to orders

When an employee without sufficient cause, disobeys, or omits or neglects to carry out a lawful order whether in writing or not, including failure to observe the operational regulations and standing orders of the Victoria Academies Trust.

Insubordination

When an employees is insubordinate by word, act or demeanour.

Abuse of authority

When an employee's conduct towards a fellow employee, student or the public is oppressive or abusive.

Absence from duty

When an employee:

- Without sufficient cause, is absent from duty or is late for duty or other attendance; or
- Without permission or sufficient cause leaves their place work.

Neglect of duty

When an employee:

- Without sufficient cause fails to discharge the obligations which statute or their contract places upon them
- By carelessness or neglect allows any loss, damage or injury to occur to the Academy's interest, or any person or property
- Fails to report any matter which it is their duty to report
- Fails to make an entry which it is their duty to make, in any document/record
- Fails to properly account for, or to make a prompt and true return of, any money or property which comes into their possession in the course of their duties.

Unauthorised employment

Undertaking unauthorised work, during hours when contracted to work for the Victoria Academies Trust, or engaging in employment during off-duty hours, which is detrimental to the interests of the Victoria Academies Trust.

An employee's off-duty hours are their personal concern, but they should not subordinate their duty to their private interests or put themselves in a position where their duty and their private interests conflict. The Victoria Academies Trust does not preclude employees from undertaking additional employment, with permission where necessary, but any such employment must not, in view of the Victoria Academies Trust, conflict with or react detrimentally to the Victoria Academies Trust's interests, or in any way weaken public confidence in the way the Victoria Academies Trust conducts its business.

Falsehood

When an employee:

- Knowingly or through neglect makes any false, misleading or inaccurate oral or written statement or entry in any record or document made, kept or required for the purposes of the Victoria Academies Trust
- Has knowingly or through neglect falsified any information used in support of an application for any post in the employment of the Victoria Academies Trust.

Misconduct in relation to official documentation

When an employee improperly destroys or mutilates any record, or document made, kept or required for the purpose of the Victoria Academies Trust or alters or erases or adds to any entry in such a record or document.

Improper disclosure of information

When an employee without proper authority communicates to any person information which was given to or acquired by them in confidence as an employee of the Victoria Academies Trust.

Corrupt or improper practice

When an employee improperly uses, or attempts so to use, their official position for their own private advantage or for the private advantage of some other person.

Damage to Victoria Academies Trust property

When an employee:

- Wilfully or without due care causes any waste, loss or damage to any property of the Victoria Academies Trust, or fails to take proper care thereof
- Fails to report any loss or damage to any such property issued to, or used by them or entrusted to their care.

Being under the influence of drink or drugs

(other than those which are used in accordance with the instructions of a medical practitioner) when an employee renders themselves unfit through drink or drugs for duties which they are or will be required to perform or which they may reasonably foresee having to perform.

Conduct at work likely to offend decency

Sleeping on duty

Except where expressly permitted.

Criminal conduct

When an employee has been found guilty by a Court of Law of a criminal offence, and when where in the view of the Victoria Academies Trust, the nature of the offence conflicts with or reacts detrimentally to the Victoria Academies Trusts interests, or in any way weakens public confidence in the Victoria Academies Trust.

Discrimination

Against an employee, student or the public on the grounds of sex, age, race, sexual orientation, religion or belief.

Being an accessory to a disciplinary offence

When an employee connives at or is knowingly an accessory to any offence against discipline.

Neglect of health

When an employee, without sufficient cause neglects to carry out any instruction of one of the Victoria Academies Trust medical advisers or, while absent from duty on account of sickness, commits any act or adopts any conduct likely to retard their return to duty.

Smoking on the Academy site

Neglect of personal hygiene

Where an employee neglects their personal hygiene to such an extent that it is offensive to their fellow employees and or members of the public.

3. Gross Misconduct

3.1 For offences of suspected or alleged gross misconduct, immediate suspension will normally apply, followed by summary dismissal if the offence is established and there are no acceptable mitigating circumstances.

3.2 Gross misconduct is misconduct of such a nature that the Victoria Academies Trust is justified in no longer tolerating the continued presence at the place of work of the employee who commits such an offence.

Examples of offences of gross misconduct include:

- Unauthorised removal or use of the Victoria Academies Trust property.
- Stealing from the Victoria Academies Trust, its employees, its students or the public.
- Other offences of dishonesty, including falsification (or aiding and abetting the falsification) of subsistence and expenses claims, timesheets, etc. and the falsification of qualifications which are a stated requirement of employment or which result in financial gain.
- Sexual misconduct at work.
- Deliberately accessing internet sites containing pornographic, offensive or obscene material, in work time or on equipment provided by the Victoria Academies Trust.
- Serious misuse of Victoria Academies Trust property or name.
- Malicious damage to the Victoria Academies Trust's property.
- Serious breaches of safe working practices, regulations or procedures endangering other people including deliberate damage to, neglect or, misappropriation of safety equipment.
- Unlawful discrimination or harassment.
- Bringing the Victoria Academies Trust into serious disrepute.

- A serious breach of confidence.
- Committing a criminal offence which renders the employee unsuitable to work in an education establishment.

The following offences according to circumstances may also be regarded as a breach of discipline and may amount to gross misconduct:

- Sexual offences
- Fighting
- Physical assault
- Harassment and bullying