



Learning Link Multi-Academy Trust (LLMAT)

Disciplinary Rules

(January 2019)

Policy: Disciplinary

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Disciplinary rules

Given the nature of the services we provide, it is important that the mutual relationship of trust and confidence is maintained at all times. Intrinsic in this are the standards of behaviour and conduct exhibited both as an employee and externally in the community.

Our disciplinary rules are incorporated into all employees' terms and conditions of employment in conjunction with applicable codes of conduct with particular regard to expected professional standards of behaviour, professional boundaries, openness and transparency.

1. Policy statement

1.1 These Disciplinary Rules should be read in conjunction with our Disciplinary Procedure. The aim of the Disciplinary Rules and Disciplinary Procedure is to set out the standards of conduct expected of all staff and to provide a framework within which LLMAT can work with staff to maintain those standards and encourage improvement where necessary.

1.2 The Disciplinary Rules are contractual however the Disciplinary Procedure is for guidance only.

1.3 If you are in any doubt as to your responsibilities or the standards of conduct expected you should speak to your line manager.

2. Rules of conduct

2.1 While working for us you should at all times maintain professional and responsible standards of conduct. In particular you should:

- (a) observe the terms and conditions of your contract, and any other professional expectations, particularly with regard to:
 - (i) hours of work;
 - (ii) confidentiality;
 - (iii) safeguarding;
 - (iv) the duty of care to all pupils.
- (b) observe all our policies, procedures and regulations which are notified to you from time to time;
- (c) exercise a high level of care in respect of the health and safety of pupils, colleagues and third parties;
- (d) comply with all reasonable instructions given by managers; and
- (e) act at all times in good faith and in our best interests and those of our pupils and staff.

2.2 Failure to maintain satisfactory standards of conduct may result in action being taken under our Disciplinary Procedure.

3. Misconduct

The following are examples of matters that will normally be regarded as misconduct and will be dealt with under our Disciplinary Procedure:

- (a) Minor breaches of our policies;
- (b) Minor breaches of your contract;

- (c) Minor damage to, or unauthorised use of, our property;
- (d) Poor timekeeping;
- (e) Time wasting;
- (f) Short term unauthorised absence from work;
- (g) Refusal to follow instructions;
- (h) Unauthorised use of our telephones for personal calls;
- (i) Excessive personal email or internet usage;
- (j) Obscene language or other offensive behaviour in the workplace but away from any pupils; or
- (k) Minor instances of negligence in the performance of your duties.

This list is intended as a guide and is not exhaustive.

4. Gross misconduct

4.1 Gross misconduct is a serious breach of contract and includes misconduct which, in our opinion, is likely to prejudice our academy or reputation or irreparably damage the working relationship and trust and confidence between us. Gross misconduct will be dealt with under our Disciplinary Procedure and will normally lead to dismissal without notice or pay in lieu of notice (summary dismissal).

4.2 The following are examples of matters that are normally regarded as gross misconduct:

- (a) Theft or fraud;
- (b) Physical violence or bullying;
- (c) Deliberate damage to our buildings, fittings, property or equipment, or the property of a pupil, colleague, contractor or third party;
- (d) Serious misuse of our property or name;
- (e) Smoking in no-smoking areas;
- (f) Deliberately accessing internet sites containing pornographic, offensive or obscene material;
- (g) Repeated or serious failure to obey instructions, or any other serious act of insubordination;
- (h) Any act of unlawful discrimination or harassment;
- (i) Bringing the academy into serious disrepute;
- (j) Being under the influence of alcohol, illegal drugs or other substances during working hours;
- (k) Causing loss, damage or injury through serious negligence;
- (l) Serious or repeated breach of health and safety rules;
- (m) Unauthorised use or disclosure of confidential information or failure to ensure that confidential information in your possession is kept secure;

- (n) Any breach of our Anti-corruption and bribery policy;
- (o) Conviction for a criminal offence that in our opinion may affect our reputation or our relationships with our staff, pupils, families or the public, or otherwise affects your suitability to continue to work for us;
- (p) Possession, use, supply or attempted supply of illegal drugs;
- (q) Serious neglect of duties, or a serious or deliberate breach of your contract;
- (r) Unauthorised use, processing or disclosure of personal data contrary to our Data Protection Policy;
- (s) Harassment of, or discrimination against, pupils, families, employees, contractors or members of the public, related to gender, marital or civil partner status, gender reassignment, race, colour, nationality, ethnic or national origin, disability, religion or belief or age;
- (t) Refusal to disclose any of the information required by your employment or any other information that may have a bearing on the performance of your duties;
- (u) Giving false information as to qualifications or entitlement to work (including immigration status) in order to gain employment or other benefits;
- (v) Knowingly taking parental, paternity or adoption leave when not eligible to do so or for a purpose other than supporting a child;
- (w) Making a disclosure of false or misleading information under our Whistleblowing Policy maliciously, for personal gain, or otherwise in bad faith;
- (x) Making untrue allegations in bad faith against a colleague;
- (y) Victimising a colleague who has raised concerns, made a complaint or given evidence or information under any of our policies and procedures;
- (z) Serious misuse of our information technology systems;
- (aa) Undertaking unauthorised paid or unpaid employment during your working hours;
- (bb) Unauthorised entry into an area of the premises to which access is prohibited.

This list is intended as a guide and is not exhaustive.

5. Zero tolerance offences

5.1 Whilst gross misconduct offences will, due to their serious nature, ordinarily result in summary dismissal, there are certain offences which LLMAT regards with such seriousness that it takes a 'zero tolerance' approach. These are conditions of your employment. Any employee found guilty of committing a zero tolerance offence will have their employment terminated.

5.2 The following offences are regarded as zero tolerance offences by LLMAT:

- (a) Physical or sexual abuse of any pupil including any instance of a sexual relationship with a pupil;
- (b) Possession of an offensive weapon on LLMAT premises;
- (c) Any consumption of illegal drugs during working hours;

- (d) Any act of violence whilst on LLMAT premises.