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## **DISCIPLINARY POLICY**

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# **Elite Mentors**

## **Disciplinary Policy**

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## INTRODUCTION

The aims of this policy at **Elite Mentors** are to:

- Provide clear guidance on the standards of conduct expected within the organisation.
- Ensure all staff understand what constitutes misconduct and the behaviours that may give rise to disciplinary action.
- Promote a culture of professionalism, accountability, and continuous improvement.
- Set out clearly the consequences where misconduct is substantiated.
- Outline a fair, transparent, and consistent disciplinary procedure, including the right of appeal.
- Safeguard the welfare of students and maintain a safe, respectful, and professional learning environment.
- Ensure that all disciplinary matters are managed in accordance with relevant legislation, regulatory requirements, and best practice standards.

### Types of Misconduct

Misconduct refers to behaviours or actions that fall below the standards of conduct expected at **Elite Mentors**. These can range from minor breaches to serious violations and may arise from a single incident or repeated actions. Misconduct is generally divided into two categories:

#### 1. General Misconduct

General misconduct involves less serious breaches of professional standards or Centre policies. Examples may include poor timekeeping, failure to follow internal procedures, or inappropriate but non-threatening behaviour. These issues are usually addressed through informal discussions with the staff member's line manager and aim to correct behaviour, provide guidance, and prevent recurrence. If informal resolution is not effective, the matter may progress to a formal disciplinary procedure.

## **2. Gross Misconduct**

Gross misconduct refers to serious breaches of professional or legal standards that are considered unacceptable and may justify immediate disciplinary action. This can result in a final written warning or summary dismissal, potentially without notice or with pay in lieu of notice, depending on the severity and circumstances. Serious concerns may bypass informal resolution due to the potential impact on the Centre, staff, or students.

### **Confidentiality**

All disciplinary matters at **Elite Mentors** are treated as highly sensitive and must be handled with the strictest confidentiality. This is to ensure respect for the privacy and dignity of all individuals involved. Staff are required to maintain confidentiality regarding any information they receive related to investigations or disciplinary proceedings and must not share details with unauthorised parties.

### **Authority**

The Director delegates authority to the Head of Centre/Manager to manage and take disciplinary action in matters concerning teaching and support staff. In cases where the Head of Centre/Manager is the subject of an investigation, the Director assumes responsibility for overseeing the disciplinary process and any related decisions.

### **Investigation**

The purpose of an investigation at **Elite Mentors** is to establish an objective and fair understanding of the facts before deciding whether a disciplinary hearing is necessary. The scope and depth of the investigation will depend on the nature and seriousness of the allegations and may include reviewing relevant documents and interviewing individuals involved.

An investigating officer will be appointed to carry out the fact-finding process. No disciplinary decisions will be made until a formal hearing has taken place. Employees will be notified in writing of the allegations, provided with relevant documentation, and given a copy of the disciplinary policy. Normally, employees are not entitled to be accompanied during investigation meetings.

Where further information or witness statements are required, these will be gathered before any decision is made to hold a disciplinary hearing. If the Head of Centre is the subject of the investigation, the Chair of the Board of Directors will oversee the process.

If pupils are involved in the investigation, their parents or carers will be informed, and consent obtained. The investigating officer will prepare a report summarising the findings, which will inform the decision on whether to proceed to a formal disciplinary hearing.

## **Suspension**

At **Elite Mentors**, the Head of Centre or Board of Directors may suspend an employee in specific circumstances, including:

- To allow an objective investigation of allegations.
- Where alleged misconduct is serious and could lead to dismissal.
- If the employee is under police investigation for matters relevant to their duties.
- Where remaining at work could seriously affect the Centre or individual.

Suspension is a precautionary measure, not a disciplinary penalty, and will only last as long as necessary. Written confirmation of the suspension will be provided.

## Representation

Employees have the statutory right to be accompanied by a colleague or trade union representative at **formal disciplinary and appeal hearings**. There is no right to representation at informal meetings or investigations. Representatives may support, address the hearing, and confer with the employee, but cannot answer questions on their behalf.

## Disciplinary Hearing

If an investigation indicates potential misconduct, a disciplinary hearing will be convened. Employees will be informed in writing of:

- Allegations and supporting evidence.
- Date, time, place, and attendees.
- Likely consequences if allegations are upheld.

The hearing allows the employee to respond, present evidence, and have a companion present. If the employee cannot attend, they must inform the Centre promptly; otherwise, decisions may be made in their absence.

The chair will consider all evidence and may deliver the decision verbally or in writing within a reasonable timeframe. Any warnings issued will include:

- Reason for the warning.
- Duration on file.
- Required corrective actions.
- Consequences of recurrence.
- Right of appeal.

This process ensures fairness, transparency, and an opportunity for the employee to respond fully.

## Disciplinary Penalties

- **First Written Warning:** Issued for a first instance of misconduct that is not considered gross. The employee will be informed of the nature of the misconduct and advised that

any repetition or failure to improve may result in further disciplinary action. Employees have the right to appeal a formal written warning.

- **Final Written Warning:** Issued for serious misconduct or if there is a repeated offence while a previous warning is active. The warning clearly states that any further misconduct may lead to dismissal. Employees have the right to appeal a final written warning.
- **Dismissal:** Applicable in cases of gross misconduct, serious breaches during the probationary period, or repeated misconduct despite previous warnings. Dismissal may be with notice, without notice, or with pay in lieu of notice, depending on the circumstances and the severity of the offence.

This structure ensures fair and progressive disciplinary action while giving employees an opportunity to improve their conduct.

## **Alternatives to Dismissal**

In appropriate cases, **Elite Mentors** may consider alternatives to dismissal. Such measures will normally be accompanied by a final written warning and may include:

- Demotion to a more suitable role.
- Transfer to another department or position.
- A defined period of unpaid suspension.
- Loss of seniority or specific responsibilities.
- Reduction in salary where contractually permissible.

These alternatives are intended to provide an opportunity for improvement while maintaining organisational standards.

## **Effect of a Warning**

Any written warning will clearly outline:

- The nature of the misconduct.
- The required improvement in behaviour.
- The duration for which the warning will remain active.
- The consequences of further misconduct during that period.

A first written warning will normally remain active for **six months**, and a final written warning for **twelve months**. In exceptional cases approaching gross misconduct, a final written warning may remain active indefinitely.

At the end of the active period, conduct may be reviewed. While warnings remain on the employee's personnel file, they will generally be disregarded in future disciplinary decisions once the active period has expired.

## **Appeals**

Employees have the right to appeal any formal disciplinary sanction if they believe it to be unjust or unreasonable. Appeals must be submitted in writing to the Board of Directors within **seven days** of receiving written confirmation of the decision, clearly stating the grounds and any supporting evidence.

An Appeals Committee of Directors will hear the appeal. The appeal may involve a review of the original decision or consideration of new evidence. Employees will receive reasonable notice of the hearing and copies of any additional documentation.

Following the hearing, the Committee may uphold, revoke, or vary the original decision. The outcome will be confirmed in writing, usually within one week. The decision of the Appeals Committee is final, and there is no further right of appeal.

End of policy