

# APPENDIX 10 Model Letter 7 – Outcome of Investigation – Notification of Disciplinary Hearing

[Name]

[Address]

[Date]

Dear [Name]

**Re: Disciplinary Procedure – Disciplinary Hearing**

Following the investigation into \*a/an \*complaint(s)/allegation(s) regarding your conduct at work, I require you to attend a disciplinary hearing as follows:

 **Date**:

 **Time:**

 **Venue:**

The following \*complaint(s)/allegation(s) will be considered:

* ***Detail complaint(s)/allegation(s) in full***

## FOR MISCONDUCT

\*I must emphasise that this/these \*complaint(s)/allegation(s) \*is/are serious and should \*it/they be substantiated may lead to disciplinary action being taken under the School’s Disciplinary Procedure. However, this is not considered a dismissible offence.

## FOR GROSS MISCONDUCT

I must emphasise that this/these \*complaint(s)/allegation(s) \*is/are serious and should \*it/they be substantiated may lead to a Final Written Warning being issued or your Dismissal in accordance with the School’s Disciplinary Procedure.

## OR WHERE THERE IS A CURRENT FINAL WARNING ON FILE

\*I must emphasise that \*this/these \*complaint(s)/allegation(s) \*is/areserious and should \*it/they be substantiated, given that you have a current final disciplinary warning on file, may make you liable to be dismissed from the School with notice.

The \*complaint(s)/allegation(s)will be presented by me *(supported by – [name of person who assisted with investigation] OR HR Support)*.

The following *witness(es)* will be called to give evidence: *(if any)*

* ***Insert names***

\*The matter will be considered by **a** disciplinary hearing panel comprising of three governors. Xxxxx will be the chair of the panel and will be supported by London Borough of Harrow HR.

***OR***

\*The matter will be considered by the \*Headteacher/Governing Body’s Staff Disciplinary Panel,\*who/which will determine whether the \*complaint(s)/allegation(s) \*is/are substantiated and what action should be taken.

[Name of Hearing Officer]will chair the hearing and the other members of the panel will be [insert names of those making up the committee]**.** In hearing the case, the Headteacher/Staff Disciplinary Panel will be advised by [name, designation]***.***

The disciplinary hearing is designed to give you the opportunity to:

* Be represented by someone of your choice
* Hear the case against you
* Put your side of events
* Question the evidence of witnesses
* Call witnesses

You will need to prepare the response to the \*complaint(s)/allegation(s) and arrange for your representative to attend the hearing if you choose to be represented. Please ensure that you have checked with their manager that they have been given permission to attend.

You are required to confirm your attendance in writing, along with details of your representative.

It is your responsibility to invite witnesses to the Disciplinary Hearing who you wish to call to support your case. You must notify me of the names and posts held of the witnesses you wish to call immediately on receipt of this letter to ensure they can be released from their post, should they agree to attend.

Please note witnesses cannot be forced to attend a Disciplinary Hearing.

Although you are required to attend the hearing in person, you may prepare a written response to the \*complaint(s)/allegation(s) for consideration at the hearing which must be submitted at least 2 working days before the hearing. Any documents or written response not submitted within this timescale may not be accepted.

Please be advised that if you are unable to attend <insert date> only one alternative date within 7-calendar days of the original Disciplinary hearing will be offered and failure to attend on this date may result in the meeting taking place in your absence. The procedure to be followed will be that contained in the School’s Disciplinary Procedure, a copy of which has already been given to you.

Throughout the course of the disciplinary procedure, it is expected that all parties will maintain strict confidentiality and only discuss the case with those directly involved or their work colleague or trade union representative.

\*Please find enclosed the investigation report to be submitted to the hearing for the management response.

***OR***

\*The investigation report to be submitted to the hearing for the management response will be forwarded to you by [date]***.***

Yours sincerely

Hearing Officer/Manager

**Name and Designation**

**Copy to:** Investigating Officer/Headteacher/Chair of Governors

 HR

 Divisional Director Education Services

 Chair and members of the Committee

**Enc.** Investigation Report