

# APPENDIX 12 Model Letter 9 – Confirmation of Decision at Disciplinary Hearing

[Name]

[Address]

[Date]

Dear [Name]

**Re: Disciplinary Procedure – Disciplinary Hearing**

\*Following the disciplinary hearing, which you attended on [date], I write to confirm the outcome.

## OR

\*I am writing to advise you of the decision following the disciplinary hearing held on [date], which you failed to attend. You will note from the letter dated [date] requesting your attendance at the disciplinary hearing, that failure to attend could result in your case being heard in your absence, *(or other appropriate comment depending on circumstances of non-attendance e.g. employee’s own decision conveyed in writing not to attend*).

The hearing convened under the School’s Disciplinary Procedure and the following \*complaint(s)/allegation(s) were considered:

* ***Insert complaint(s)/allegation(s)***

I carefully considered the facts presented to me, including supporting documentation, copies of which are in your possession, before reaching the following conclusion(s):

***\*That the complaint/allegation that you (insert detail) was substantiated.***

***OR***

***\*That the complaint/allegation that you (insert detail) was unsubstantiated.***

* *State findings – be clear, brief and precise, outline any mitigating circumstances and say if and how they have been taken into account in the decision.*

***WARNINGS (MISCONDUCT)***

Having taken into account all aspects of the case, **\*I**/the Governing Body’s Staff Dismissal Committee \*have/has decided***:***

\*To issue you with a first written warning. Any future misconduct on your part would lead to more serious disciplinary action being taken under the procedure and could put your job at risk.

***OR***

\*To issue you with a final written warning. Any future misconduct on your part would lead to further disciplinary action being taken under the procedure and would render you liable to dismissal.

*Explain what other sanctions are to be applied (if any).*

***In respect of any warning insert:***

\*This warning will be recorded on your personal record and will remain operative for a period of *6 months.* After this period the warning will be disregarded, in respect of further action under the School’s Disciplinary Procedure, providing no further action is necessary within this period. If further action is necessary within this period, the warning will continue until the period covering any subsequent warning has expired.

***DISMISSAL (MISCONDUCT)***

\*Having taken into account all aspects of the case, the Governing Body’s Staff Dismissal Committee determined that it was necessary to terminate your employment with the School on the grounds of [state reason for dismissal]. Under the terms of your Contract of Employment you are entitled to [x] weeks’ notice and so your last day of employment is [date].

***DISMISSAL (SERIOUS MISCONDUCT)***

\*Having taken into account all aspects of the case, the Governing Body’s Staff Dismissal Committee determined that it was necessary to terminate your employment with the School on the grounds of gross misconduct with immediate effect. You are not entitled to receive payment for notice or outstanding holiday.

## APPEAL

You have the right of appeal against this decision. If you wish to exercise this right, your appeal should be submit the enclosed disciplinary appeal form to [insert name, designation/clerk to the Governing Body] within 10 working days of the date of this letter.

Yours sincerely

**Headteacher/Chair of Staff Disciplinary Panel**

**Name and Designation**

**Copy to:** Manager

Headteacher

 HR

 Chair of Governors and members of the committee

 Investigating Officer

 Named Trade Union Representative/Work Colleague