



Islamic

Educational & Recreational Institute

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Staff Disciplinary Procedure

Policy

1. Informal Action

1.1 The trustees may deal with matters by giving oral evidence or issuing informal warnings. The trustee will make it clear that formal action might be taken against the staff on recurrence of the conduct in questions.

2. Formal Disciplinary Action: Formal Warning Procedures

2.1 in the event of a complaint relating to the conduct of a staff member which the trustee considers on investigation may require the issue of a formal warning, a disciplinary meeting will be arranged by the trustee to take place as soon as is reasonably possible and, where possible, at a mutually convenient time.

2.2 The staff will be informed in writing of the date, time and purpose of the meeting and the nature of the allegations at least 5 days in advance of the meeting. The staff will at the same time be informed of any evidence to be presented and the names of any witnesses to be called at the meeting and provided with all supporting documents.

2.3 At the disciplinary interview, the staff will have the opportunity to answer allegations made, question any witnesses and state their case before any decision is reached.

2.4 Initial complaints relating to conduct, where proven, will normally be dealt with by means of a formal oral warning, which may be given to the staff at the disciplinary interview. A report of the warning will be placed on the staff's personal file and they will be given a copy. A copy will also be provided to the Chair of Trustees. The acknowledgement of the staff, together with any written observations of the staff, will also form part of the record.

- 2.5 In the event of a further complaint or a complaint of a more serious nature, consideration may be given to a formal written warning or final written warning. Such a warning will be given in the form of a letter to the staff and a copy of the letter will be placed on the staff's personal file. A copy of the letter will also be provided to the Chair of Trustees. The acknowledgement of the staff, together with any written observations of the staff will also form part of the record.
- 2.6 Warnings will be disregarded for disciplinary purposes and expunged from the file after a specified period. These periods will be 6 months for oral warnings and 12 months for written warnings, including final written warnings. The staff will be notified when warnings are expunged.
- 2.7 The outcome of disciplinary proceedings will normally remain confidential to the parties involved.

3. Formal Disciplinary Action: Appeals against Formal Warnings

- 3.1 The staff will be entitled to appeal against the issue of any warning. That appeal will be heard by a panel. The staff must notify in writing their intent to appeal within 15 days of receipt of any warning. The panel consisting of three Trustees will hear the appeal within 15 days of it being lodged. The staff will be informed in writing of the date, time and purpose of the meeting at least 10 days in advance.
- 3.2 Where a determination which may lead to a dismissal is considered to be a possible outcome, this will be clearly stated in writing in this letter of notification. The staff will be informed of any evidence to be presented and the names of any witnesses to be called at the meeting and provided with all supporting documents at least 5 days in advance of the meeting.
- 3.3 At the hearing before the panel of trustees, the head staff will formally present the complaint and will call and witnesses in support of the complaint. The headteacher may be questioned by the staff concerned or his/her representative, as may any witnesses supporting the complaint.

- 3.4 The staff or their representative will then be given the opportunity to present their case with such evidence in documentary form or through the presentation of witnesses as she considers appropriate.
- 3.5 The staff disciplinary committee will consider its decision in private and may decide that:
- (a) No action be taken;
 - (b) A formal oral warning, formal written warning or final written warning be issued; or that
 - (c) The staff should cease to work at the mosque.
- 3.6 A first breach of discipline will not lead to a determination which may lead to dismissal, save in any case of misconduct so serious as to warrant such action according to principles of contract law and unfair dismissal in law.
- 3.7 The decision of the panel of trustees will be given orally at the meeting and confirmed in writing within 7 days. Where the panel decides that a staff should cease to work at the mosque, the committee will include a written statement of the reasons for the panel's decision in its letter of confirmation to the staff. The panel's decision will be final.

4. Suspensions

- 4.1 suspension from duty pending a formal disciplinary hearing will only be considered following an initial investigation:
- (a) where suspension appears on good grounds to be necessary for the protection of other staff or property; or
 - (b) where the continued presence at work of the person against whom allegations are made would be an obstacle to proper investigation.
- 4.2 Where it is considered that a staff should be suspended from duty, the headteacher will consult with the Chair of trustees before that decision is taken.
- 4.3 Suspension will be on full pay in accordance with the staff contract.

Proprietors: Islamic Educational and Recreational Institute

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Dated: 23.08.2020

Reviewed: