



Venture
Learning

Grievance and Disciplinary Policy

Venture Learning

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Introduction

Venture Learning is committed to high standards and expects all employees to be familiar with, and adhere to the Staff Code of Conduct, which should be read in conjunction with this policy.

The purpose of a grievance procedure is to enable individual employees to raise a work-related problem, concern or complaint and to have the matter dealt with as quickly and fairly as possible.

The purpose of a disciplinary procedure is to ensure the safe and effective operation of the provision and to promote the fair treatment of all employees. The following procedure provides a framework to address any lapses in conduct and encourages individual staff to achieve and maintain an acceptable standard.

This policy does not apply to dismissals, where the employment is terminated for a reason unconnected to disciplinary action, such as in the event of redundancy, retirement, or non-renewal of a fixed term contract. If these situations arise Venture Learning will follow a fair and reasonable procedure, which will include consultation with affected employees prior to any dismissal taking effect.



Key Staff and Contacts

Provision Based Contacts

| Name | Role |
|------------------|---|
| Rhys Griffiths | Chair Of The Proprietary Board |
| Rich Hill | Headteacher |
| Gemma Waddington | Deputy Head of Provision |
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Independent Advice & Support

The Citizens Advice Bureau can provide impartial information about employee rights when going through disciplinary proceedings: <https://www.citizensadvice.org.uk/>



Section 1: Grievance Procedures

Many issues can be resolved quickly and easily by taking informal action. If it is not appropriate to raise a grievance informally, or a grievance has not been resolved through informal action, employees should follow the formal grievance procedure.

1.1 Stage 1

Grievances should be submitted in writing, without unreasonable delay and given to the immediate line manager. If a grievance involves the immediate line manager the grievance should be given to the Headteacher.

The person who takes responsibility for managing the grievance will arrange a meeting to discuss the details of the grievance and how it could be resolved.

If the grievance needs to be investigated further, the person who submitted the complaint will be advised of this and notified of the result when the grievance has been fully investigated.

1.2 Stage 2

If the person who submitted the complaint is dissatisfied with the handling of the grievance at Stage 1, they may choose to appeal in writing to the Headteacher (or the Chair Of The Proprietary Board if the Headteacher is concerned on the grievance/stage 1).

The investigation process will be the same as Stage 1, but will be conducted by a senior member of staff, where possible, with no involvement in Stage 1. There will be no further right of appeal.

1.3 Rights throughout the Grievance Process

During all stages of the formal grievance procedure, all employees involved must be provided with copies of notes and written confirmation of response.

Employees have a statutory right to be accompanied by a colleague or a trade union representative at formal grievance meetings, which concern a complaint about a duty that we owe to them.

Venture Learning hopes that effective use of this procedure will negate the need for individuals to seek external resolution for complaints by way of an employment tribunal claim. However, we respect that employees may wish to exercise this right. Employees are advised that a failure to follow this procedure beforehand could result in a reduction in any compensation awarded of up to 25%.



Section 2: Disciplinary Procedures

Minor breaches of the Staff Code of Conduct may result in an informal warning being given by a manager. The objective of the warning is to help staff to improve conduct without invoking the formal procedure. A note may be kept of what was discussed and agreed in order to monitor conduct and respond appropriately to future breaches.

2.1 Investigation

If it becomes necessary to formally address issues regarding conduct or attendance the matter will first be investigated by an appropriate manager.

This investigation will be carried out thoroughly and as quickly as possible in all the circumstances. Confidentiality will be maintained, as far as is reasonably practicable, during the investigation and throughout the disciplinary process, should this be activated.

Under certain circumstances, including but not limited to harassment, bullying, theft and violence, Venture Learning may decide to suspend an employee on full pay, while the matter is being investigated. This is not a disciplinary sanction, but a way of ensuring that a full review of the circumstances can take place as effectively as possible and that safeguarding measures are observed.

2.2 Criminal Charges

Where an employee is the subject of a criminal investigation, charge or conviction we will investigate the facts before deciding whether to take formal disciplinary action. We will not usually wait for the outcome of any prosecution before deciding what action, if any, to take.

A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment.

All employees are required to inform Venture Learning immediately if they are the subject of a criminal charge.

2.3 Disciplinary Meeting

If, after an investigation has been carried out, it is considered that there is a case to answer, the subject of the disciplinary procedures will be notified in writing of the nature of the complaint.

They will be provided with details of any supporting evidence which may be available and will be invited to attend a disciplinary meeting. They will be advised that disciplinary action may be taken as a result of this meeting and of their statutory right to be accompanied at this meeting by a colleague or a trade union representative.

Employees should take reasonable steps to attend this meeting. If they are persistently unable or unwilling to attend, Venture Learning reserves the right to proceed in their absence.

This meeting will be conducted by the Financial Director, who will have played no part in the investigation process. Venture Learning may also have someone present at the meeting to take notes.

At this meeting, the nature of the alleged breach of the Staff Code of Conduct will be made clear to the subject of proceedings and they will be given the opportunity to state their case



and call any relevant witnesses. If any additional issues arise during this meeting, an adjournment may take place to allow further investigation.

During the disciplinary process or appeal, the subject will be provided with copies of any notes, witness statements or interview transcripts that Venture Learning considers to be relevant as soon as they become available.

2.4 Disciplinary Action

If, at the conclusion of a disciplinary meeting, or shortly thereafter, it is decided that there has been a sufficient breach of the Staff Code of Conduct, formal disciplinary action will be taken.

If the subject is issued with a warning, they will be informed of the period for which the warning will remain in place. A copy of the written warning will be kept in on record. If conduct or attendance has reached an acceptable level after the specified period, the warning will be disregarded for disciplinary purposes, but will be kept on record.

Employees have the right to appeal against any level of disciplinary action, including dismissal.

There are four stages of disciplinary action that may be taken:

- **Stage 1: Verbal Warning** - If conduct or attendance is unsatisfactory or there is no improvement, or another breach of the Staff Code of Conduct occurs, after an informal warning has been issued, an employee will be given a formal verbal warning, a note of which will be held on record. They will also be reminded that if there is no improvement, or a further breach occurs, within a specified period, further disciplinary action will be taken.
- **Stage 2: Written Warning** - If the breach is more serious, or there is no improvement in conduct, or another breach occurs, an employee will receive a written warning. This will include the reason for the warning, give details of how they should improve and remind them that if there is no improvement, or a further breach occurs, within the specified period, further disciplinary action will be taken.
- **Stage 3: Final Written Warning** - If the breach is very serious, or there has been no improvement in conduct following stages 1 and 2 or still further breach occurs despite a previous warning, a final written warning will be given. This will include the reason for the warning, giving details of how they should improve, and remind them that if there is no improvement, or a further breach occurs, within the specified period, they may be dismissed.
- **Stage 4: Dismissal or other disciplinary action** - If there is no satisfactory improvement in conduct or if a still further breach occurs, an employee may be dismissed (or other disciplinary action may be taken i.e. demotion/ transfer/ reduction of pay/ suspension without pay). They will be informed in writing of the decision, given details of the reason for the dismissal, or other disciplinary action, the termination date (if relevant), the appropriate period of notice or amount of pay in lieu of notice, and details of their right to appeal.

A decision to dismiss or impose other disciplinary action will normally be taken by a director and dismissal will only be applied if Venture Learning does not consider any alternative to dismissal would be appropriate.



If an employee is dismissed under this policy their employment will terminate on the date specified in writing. Their employment will **not** be suspended pending the outcome of any appeal procedure. Should an appeal reverse the decision to dismiss them, they will be reinstated with no break in service and any monies owing to them will be paid.

Any of the above stages of disciplinary action may be omitted, depending on the seriousness of the misconduct.

2.5 Gross Misconduct

If an employee is found guilty of gross misconduct Venture Learning is entitled to summarily dismiss. This means that the employee will be dismissed with immediate effect, without notice or pay in lieu of notice. Alternatively, Venture Learning may impose another penalty short of dismissal.

Examples of gross misconduct include, but are not limited to:

- theft, fraud or deliberate falsification of records;
- misuse, abuse or deliberate damage to property, including intellectual property, or that of other employees;
- the supply or possession of alcohol or illegal drugs, or being under the influence of alcohol or illegal drugs on the premises or during working hours;
- physical violence, actual or threatened;
- serious act of insubordination;
- inappropriate or illegal use of internet, intranet and email facilities;
- harassment or discrimination on any grounds;
- accepting or offering a bribe;
- disclosure of confidential information;
- serious breach of the health and safety rules;
- leaving the workplace without permission or reasonable excuse;
- serious disregard of rules and regulations; or
- bringing Venture Learning into disrepute.

2.6 Procedure for Appeal

Any appeal must be made in writing to the Chair Of The Proprietary Board or Finance Director within 5 working days of the decision being communicated, and they should detail their reason(s) for appealing against the disciplinary action.

The appeal will be considered by a senior manager or director, who, when practicable, will not have had any previous involvement in the case, within 5 working days of receiving the appeal. If it is anticipated that the appeal process will take longer than 5 working days from receipt of the appeal the employee will be informed of this and of the expected timescale.

Employees must be notified of their statutory right to be accompanied at the appeal meeting by a colleague or a trade union representative. If additional issues or new evidence arise during this meeting, an adjournment may take place to allow for these to be investigated.

After considering the appeal, a decision may be taken to uphold the dismissal or other disciplinary action or to overturn the findings of the disciplinary meeting. They will be informed of the outcome of the appeal and the reasons for the decision in writing, as soon as possible. The decision which is reached is final.

