

DISCIPLINARY PROCEDURES FOR ALL STAFF AND EMPLOYEES

Non-academic matters

Breaches of the Code of practice will be dealt with through the Disciplinary, Appeals & Complaints Procedure.

Minor breaches of the Code of practice include the following:

- *Unpunctuality for any scheduled session*
- *Unexplained non attendance for any scheduled session*
- *Lack of adequate preparation*
- *Unprofessional conduct*
- *Not returning equipment and furniture from communal areas immediately after the period for which it was borrowed.*
- *Smoking in any part of the building*
- *Any other breach of the Code of Practice which is deemed in the circumstances by the Programme Director to constitute a minor breach*

Procedure:

- i) 1st Absence /Non-academic minor breach of discipline – Written Informal Warning issued by Programmes Administrator**

Minor breaches of discipline will normally in the first instance be dealt with by the Programmes Administrator by means of a Written Informal Warning. At this stage a staff member may also, where appropriate, be offered advice and help to improve their standards.

- ii) 2nd Absence / Non-academic minor breach of discipline – Written Formal Warning and meeting with Programmes Co-ordinator**

Following the issue of a written informal warning, any further minor breach of the Code of Practice will result in a Written Formal warning & meeting with Programmes Co-ordinator.

- iii) 3rd Absence /Non-academic minor breach of discipline/1st serious breach of discipline (See *Serious breaches of the Code of Practice*) – Staff Member immediately excluded from the Academy by the Programme Director or Programmes Co-ordinator pending a disciplinary hearing**

Any further minor breach of discipline/single serious breach of discipline will result in a staff member being immediately excluded from the Academy by the Programme Director or Programmes Co-ordinator pending a disciplinary hearing.

- IV) Disciplinary Hearing - Within one week from the date of the exclusion commencing, the staff member will be informed in writing of the date of his/her Disciplinary Hearing.**

The date for the Hearing will normally be set no less than three weeks after the date of the exclusion.

A staff member may submit witness statements or character testimonials to the Programme Director as part of his/her defence, at any time prior to the Hearing.

A staff member may be accompanied to the Hearing by a union representative. S/he may not be accompanied by any legal representative or relative.

The Hearing will normally last between 1 and 2 hours, and will take place in a designated room in the presence of the Disciplinary Panel. The Disciplinary Panel will usually include a senior member of the Academy staff plus at least two academic members of staff.

The decision of the Disciplinary Panel will be made known to the student in writing within five working days of the Hearing. Possible decisions include:

- 1) Exoneration and immediate return to the Academy
- 2) Conditional return to the Academy
- 3) Termination of employment

V) Staff have the right of appeal against the decision of the Disciplinary Panel. Please refer to the information regarding appeals below.

Serious breaches of the Code of Practice include the following:

- *Insulting or deliberately obstructive behaviour towards staff or students*
- *Racist, sexist, ageist, anti-disabled or homophobic remarks or expressed attitudes*
- *Sexual harassment*
- *Bullying or intimidating behaviour*
- *Physical or sexual assault*
- *Inappropriate conduct within the working environment which impedes the learning of students*
- *Unwillingness to undertake all written feedback for all assessed and non-assessed elements of the curriculum as necessary*
- *Use of alcohol during the teaching day*
- *Use or possession of illegal drugs*
- *Possession of any offensive weapon on the premises, other than those authorised for specific productions*
- *Vandalism or damage to any Academy or private property*
- *Theft of any Academy or private property*
- *Abusive or inappropriate language*
- *Any other breach of the Code of Practice which is deemed in the circumstances by the Programme Director to constitute a serious breach.*

Procedure:

- I) A serious breach of discipline – Staff Member immediately excluded from the Academy by the Programme Director or Programmes Co-ordinator pending a disciplinary hearing**

II) Disciplinary Hearing - Within one week from the date of the exclusion commencing, the staff member will be informed in writing of the date of his/her Disciplinary Hearing.

The date for the Hearing will normally be set no less than three weeks after the date of the exclusion.

A staff member may submit witness statements or character testimonials to the Programme Director as part of his/her defence, at any time prior to the Hearing.

A staff member may be accompanied to the Hearing by a union representative. S/he may not be accompanied by any legal representative.

The Hearing will normally last between 1 and 2 hours, and will take place in a designated room in the presence of the Disciplinary Panel. The Disciplinary Panel will usually include a senior member of the Academy staff plus at least two academic members of staff.

The decision of the Disciplinary Panel will be made known to the student in writing within five working days of the Hearing. Possible decisions include:

- 1) Exoneration and immediate return to the Academy
- 2) Conditional return to the Academy
- 3) Termination of employment.

III) Staff have the right of appeal against the decision of the Disciplinary Panel. Please refer to the information regarding appeals below.

APPEALS FOR ALL STAFF AND EMPLOYEES

i) Staff members have the right of appeal against an Academy disciplinary decision but they should be advised that a mere restatement of their case will not be sufficient grounds for altering a decision. Requests for an Appeal Hearing must be made in writing to the Programme Director within ten working days of the disciplinary decision. Should a staff member be granted an Appeal Hearing, this will normally be heard within two weeks of being notified that an Appeal Hearing has been approved.

ii) The Appeal Hearing Panel will usually include at least one member of the Directorate, The Programme Director and/or the Programmes Co-ordinator and a further member of the Academic Staff. The constitution of the Appeal Hearing Panel will be different to the initial Disciplinary Hearing Panel.

iii) A staff member may be accompanied to the Hearing by a union representative. S/he may not be accompanied by a legal representative.

iv) The Hearing will normally last between 1 and 2 hours, and will take place in a designated room in the presence of the Appeal Hearing Panel.

v) The decision of the Appeal Hearing Panel will normally be made known to the staff member in writing no more than five working days following the Appeal Hearing. Possible decisions include:

- 1) Overruling the decision of the initial Disciplinary Panel and exonerating the staff member.
- 2) Revising the decision of the initial Disciplinary Panel and altering the nature of the disciplinary action taken.
- 3) Upholding the decision of the initial Disciplinary decision.

vi) The decision of the Appeal Hearing Panel will be final.

vii) The Academy reserves the right to alter these procedures should the Principal consider that in following them a staff member will not be dealt with justly.

viii) Disciplinary procedures within the Academy will be independent of any formal legal proceedings which may ensue from breaches of the code of conduct.