Disciplinary Policy

Reference	Disciplinary_Policy_2026-09
Version	v1.0
Effective from	1 September 2026
Applies to	All team members across all Pinc organisations
Policy owner	Chief Operating Officer (maintained by the People Team)
Next review	Summer 2027

About this policy

Pinc brings together Pinc Creative College, Pinc Woodlands, Pinc Futures and Pinc Exams. Together we provide specialist education for neurodivergent young people aged 16 to 24, and this policy applies across all four organisations. Where it refers to "Pinc", that means the organisation within the group that employs you. Where anything applies to only one organisation, we say so.

Everything we do is grounded in our values.

We are Individual — we celebrate everyone.

We are Inclusive — we value and support everyone.

We are Innovative — we believe in the power to change.

We work in a way that is Respectful, Responsible, Safe and Kind. The Pinc Methodology holds the individual, their wellbeing and their particular needs at the centre of our approach.

Purpose. To set out the standards of behaviour we expect of everyone at Pinc, and the fair and consistent process we follow where those standards are not met.

Who it applies to. All Pinc team members. Everyone who works for Pinc is employed by us, and throughout this policy "team member" means an employee of one of the Pinc organisations.

Status. This policy does not form part of your contract of employment and may be amended from time to time.

Getting help. If anything here is unclear, speak to your line manager or contact the People Team.

Who to go to

Wherever this policy refers to raising, escalating or referring something, the route is the same:

First	Your line manager	The person you report to day to day. Most things are resolved here.
Second	Head of College or Head of Organisation	Where your line manager cannot resolve it, is unavailable, or is the subject of the matter.
Third	Executive Team	Where the matter concerns a Head of College or Head of Organisation, or where it cannot be resolved at the second stage.

What this policy covers — and what it does not

This policy deals with conduct: how a team member behaves. It does not deal with capability: whether a team member is able to do the job to the standard required.

The distinction matters, and we hold to it strictly. Conduct is about choices. Capability is about ability, skill, or health. They are managed under different policies.

We consider adjustments before we escalate

Many of our team are neurodivergent or disabled, and behaviour that looks like misconduct is sometimes the visible edge of something else — an unmet support need, an undiagnosed condition, a change in circumstances, or an environment that is not working. Before any concern moves to a formal stage, the line manager must consider, with the People Team, whether an adjustment or a period of support would address it. That consideration must be recorded, whatever the conclusion. Where a health condition or disability may be relevant, we will seek advice before proceeding.

We are consistent

Similar situations are handled similarly. Where we treat a case differently we will be able to say why. Sanctions are proportionate to what happened, and we take account of the team member's record, their explanation, and any mitigating circumstances.

We separate the roles

Wherever possible, the person who investigates is not the person who decides, and the person who decides is not the person who hears any appeal. Where the size of a team makes that difficult, the People Team will arrange for someone from another Pinc organisation, or an external adviser, to take one of the roles.

The standards we expect

The standards expected of everyone at Pinc are set out in the Employee Handbook and in your role description. Examples of conduct that may lead to action under this policy include:

- Failure to follow the Pinc Employee Handbook
- Persistent lateness or poor timekeeping
- Unauthorised absence, or failure to follow absence reporting procedures
- Failure to follow a Pinc policy or procedure
- Unreasonable refusal to follow a reasonable management instruction
- Behaviour that causes a colleague, student or visitor to feel unsafe or unable to carry out their role
- Damage to Pinc property through carelessness
- Conduct that breaches a legal or regulatory obligation relating to our work

This list is not exhaustive.

Gross misconduct

Gross misconduct is conduct so serious that it fundamentally breaks the trust on which employment depends. It may lead to dismissal without notice, even on a first occasion. A dismissal for gross misconduct still follows the full process set out in this policy — the seriousness of the allegation is a reason to be more careful, not less.

Examples include:

- Conduct that places a student, colleague or member of the public at risk of harm

- Any breach of safeguarding responsibilities
- Violence, assault, or threatening behaviour
- Harassment, sexual harassment, victimisation or discrimination
- Theft, fraud or deliberate dishonesty, including falsifying records, timesheets, expenses or self-certification
- Deliberate or grossly negligent damage to or misuse of Pinc property, equipment or systems
- Unauthorised disclosure of confidential information, including student or team member data
- Providing false information to obtain appointment or promotion
- Deliberate disregard of health and safety rules, or acting in a way likely to endanger others
- Being unfit to carry out your role because of alcohol or drugs
- Conduct outside work that makes a team member unsuitable to work with young people, or that brings Pinc into serious disrepute

This list is not exhaustive, and other conduct of comparable seriousness may be treated as gross misconduct.

Informal resolution

Most concerns are best dealt with by a straightforward conversation. Where a concern is minor, or where it is the first time something has come up, the line manager should raise it directly with the team member, explain what needs to change, agree any support, and confirm the conversation in writing — usually a short letter of expectation.

An informal conversation is not a disciplinary sanction and does not appear on the team member's record as one. A note of it is kept for six months.

Informal resolution is not appropriate where the allegation is serious enough that dismissal is a possible outcome, or where it concerns safeguarding, harassment or discrimination. In those cases the matter goes straight to investigation.

Investigation

The purpose of an investigation is to establish the facts. It is not to build a case. The investigating manager looks for evidence that supports the allegation and evidence that does not, with equal care.

The investigating manager will normally be the team member's line manager. Where the line manager is involved in the events, or has already formed a view, the People Team will appoint someone else.

The investigation will involve gathering relevant records, meeting the team member, and where necessary interviewing others and taking written statements. The team member will be told what is being investigated before their investigation meeting.

A team member does not have a statutory right to be accompanied at an investigation meeting. However, we will agree to a companion where this is a reasonable adjustment or where it would otherwise help the team member to take part fully. Ask, and we will consider it properly.

The investigation concludes with a written report setting out the findings and a recommendation on whether there is a case to answer. The report and its supporting evidence are recorded on DataBridge.

Suspension

Suspension is not a disciplinary sanction and does not imply that anything has been decided. It is a neutral step, on full pay, used only where it is genuinely necessary.

We will consider suspension only where there are reasonable grounds to believe that a student, colleague or other person is at risk, that evidence may be interfered with, or that witnesses may be pressured. Before suspending we will consider alternatives — a change of duties, a change of site, working from a different location, or supervised working — and record why any alternative was not suitable.

Suspension is authorised by the Head of College or Head of Organisation, in consultation with the People Team, and where safeguarding is engaged in consultation with the Designated Safeguarding Lead. It is confirmed in writing, with a named point of contact, and reviewed at least every ten working days. The team member remains employed throughout and continues to receive full pay and benefits.

The disciplinary hearing

Where the investigation finds there is a case to answer, the team member will be invited to a disciplinary hearing.

The written invitation will be sent at least five working days before the hearing and will include:

- The allegations, set out clearly
- Confirmation that the meeting is held under this policy
- The range of possible outcomes, including whether dismissal is a possibility
- The investigation report and all supporting evidence, including witness statements
- The right to be accompanied by a colleague or a trade union representative
- How to ask for an adjustment to the hearing

The hearing is chaired by a manager who has not been involved in the investigation, supported by a member of the People Team. The team member will be given a full explanation of the case, may respond to it, may ask questions, may call witnesses, and may comment on the evidence of others. Where either side intends to call a witness, they should say so in advance.

The hearing may be adjourned where further information is needed. Where new evidence emerges, the team member will be given a reasonable period to consider it before the hearing resumes.

If the team member cannot attend for a good reason, the hearing will be rearranged once, normally within ten working days. If their companion is unavailable, the team member may propose an

alternative time within five working days. If the team member does not attend a rearranged hearing without good reason, the hearing may proceed in their absence; they may make written submissions and their companion may attend to present their case.

The role of the companion

A companion may set out the team member's case, sum it up, respond on their behalf to views expressed at the hearing, and confer with them during it. A companion is not required to answer questions on the team member's behalf.

Outcomes

The decision is confirmed to the team member as soon as possible after the hearing, and in writing within five working days. The written outcome explains what was decided, why, what improvement is required, and how to appeal.

Outcome	When it applies	How long it stays live
No case to answer	The allegation is not substantiated.	Not recorded as a sanction
First written warning	Misconduct is substantiated.	12 months from the date of the letter
Final written warning	Further misconduct while a warning is live, or a first instance of misconduct serious enough to warrant it — including gross misconduct where mitigating circumstances make dismissal disproportionate.	12 months from the date of the letter
Dismissal with notice	Further misconduct while a final written warning is live.	
Dismissal without notice	Gross misconduct is substantiated.	

A warning expires on the date stated in the letter. Further misconduct during that period does not extend an existing warning; it may result in a new and higher sanction. Once a warning expires it is disregarded, and it is removed from the active record.

Appeal

A team member may appeal any disciplinary outcome. The appeal must be made in writing within five working days of receiving the written outcome, and must set out the grounds — what the team member says was wrong with the decision, the process, or the sanction.

The appeal is heard by someone who has not been involved at any earlier stage. Where the sanction was dismissal, the appeal is heard at Executive Team level. Where the original decision was taken at Executive Team level, the People Team will arrange for an independent external chair.

The appeal is a review of the decision, not automatically a rehearing, although the chair may decide to rehear the case where the grounds require it. The team member has the same right to be accompanied and to the same adjustments.

The appeal outcome is confirmed in writing within five working days of the hearing. It may confirm the original decision, substitute a lesser sanction, or overturn it entirely. The appeal decision is final.

Safeguarding allegations

Where an allegation concerns a team member's behaviour towards a student, or otherwise suggests they may pose a risk to young people, this policy operates alongside — and never instead of — our safeguarding procedures and the statutory guidance in Keeping Children Safe in Education.

The following apply without exception:

- The Designated Safeguarding Lead is informed immediately, and always before any disciplinary step is taken.
- Where the allegation meets the harm threshold, a referral is made to the Local Authority Designated Officer within one working day, and their advice is followed on sequencing. The disciplinary process does not run ahead of a police or children's social care investigation without LADO agreement.
- Where a team member is dismissed, or resigns, in circumstances where they have harmed a young person or may pose a risk of harm, a referral to the Disclosure and Barring Service is made. This duty applies whether or not the disciplinary process was completed.
- Where the individual is engaged in teaching work, referral to the Teaching Regulation Agency is also considered.
- A resignation does not end our obligations. Where a team member resigns during an investigation, the investigation is completed so far as it can be, and the referral duties are considered on the evidence available.

> A settlement agreement will never be used to avoid, delay or discourage a safeguarding referral, and no agreement will be entered into that purports to prevent a team member disclosing a safeguarding concern to the Disclosure and Barring Service, the Teaching Regulation Agency, Ofsted, the police or children's social care.

Records of safeguarding allegations, including those found to be unsubstantiated, malicious or false, are retained in accordance with statutory guidance.

How long it should take

These are the standards we hold ourselves to. Where a stage cannot be met, the People Team will tell the team member, explain why, and give a revised date. Time limits may be varied by agreement, and will be extended where an adjustment or an external investigation requires it.

Stage	Standard
Decision on whether to investigate, once a concern is raised	Within 3 working days
Investigation concluded and report produced	Within 15 working days
Invitation to hearing issued after the report	Within 5 working days
Notice given of the hearing	At least 5 working days

Written outcome after the hearing	Within 5 working days
Appeal lodged by the team member	Within 5 working days of the outcome
Appeal heard	Within 15 working days of the appeal being lodged
Appeal outcome confirmed	Within 5 working days of the hearing

Records and confidentiality

All records are held on DataBridge and processed in accordance with the UK GDPR and the Data Protection Act 2018. Disciplinary records are retained for six years after employment ends, except where safeguarding retention requirements apply.

Everyone involved in a disciplinary process — the team member, witnesses, companions and managers — is expected to treat it as confidential. Nothing in this policy prevents a team member from disclosing information about harassment or discrimination they have experienced or witnessed, or about how Pinc responded to it, and no team member will face any detriment for doing so.