



Board of Governors of the City of London Freemen's School

Date: TUESDAY, 29 NOVEMBER 2016
Time: 10.30 am
Venue: CITY OF LONDON FREEMEN'S SCHOOL, ASHTEAD PARK, SURREY,
KT21 1ET

Members:

Deputy Roger Chadwick (Chairman)	Hugh Morris
Stuart Fraser (Deputy Chairman)	Graham Packham
Deputy John Bennett	Adam Richardson
Nicholas Goddard (Co-Opted Member)	Alderman Matthew Richardson
Alderman Timothy Hailes	Deputy Elizabeth Rogula
Deputy Brian Harris	Ian Seaton (Ex-Officio Member)
Michael Hudson	Councillor Chris Townsend (Co-Opted Member)
Clare James (Ex-Officio Member)	Philip Woodhouse
Vivienne Littlechild	Gillian Yarrow (Co-Opted Member)
Andrew McMillan (Co-Opted Member)	

Enquiries: David Arnold
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Lunch will be served at the rising of the Board meeting
NB: Part of this meeting could be the subject of audio or video recording

John Barradell
Town Clerk and Chief Executive

AGENDA

Part 1 - Public Agenda

1. **APOLOGIES**
2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
3. a) **MINUTES OF THE BOARD OF GOVERNORS**
To agree the public minutes and summary of the meeting held on 3 October 2016.

For Decision
(Pages 1 - 4)
- b) **MINUTES OF THE ACADEMIC & EDUCATION SUB-COMMITTEE**
To note the draft public minutes of the meeting held on 14 November 2016.

For Information
(Pages 5 - 6)
- c) **MINUTES OF THE FINANCE, GENERAL PURPOSES & ESTATES SUB-COMMITTEE**
To note the draft public minutes of the inquorate meeting held on 14 November 2016.

For Information
(Pages 7 - 10)
4. **TERMS OF REFERENCE AND FREQUENCY OF MEETINGS**
Report of the Town Clerk.

For Decision
(Pages 11 - 14)
5. **NEW MANAGING PEOPLE POLICY AND REVISED DISCIPLINARY AND GRIEVANCE PROCEDURES**
Report of the Director of Human Resources.

For Decision
(Pages 15 - 42)
6. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE BOARD**
7. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
8. **EXCLUSION OF THE PUBLIC**
MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.

For Decision

Part 2 - Non-Public Agenda

9. a) **NON-PUBLIC MINUTES OF THE BOARD OF GOVERNORS**
To agree the non-public minutes of the meeting held on 3 October 2016.
- For Decision**
(Pages 43 - 46)
- b) **NON-PUBLIC MINUTES OF THE ACADEMIC & EDUCATION SUB-COMMITTEE**
To note the draft non-public minutes of the meeting held on 14 November 2016.
- For Information**
(Pages 47 - 48)
- c) **NON-PUBLIC MINUTES OF THE FINANCE, GENERAL PURPOSES & ESTATES SUB-COMMITTEE**
To note the draft non-public minutes of the inquorate meeting held on 14 November 2016.
- For Information**
(Pages 49 - 50)
10. **GATEWAY 1-2 PROJECT PROPOSAL: 2016 MASTERPLAN**
Joint report of the Headmaster and the City Surveyor.
- For Decision**
(Pages 51 - 60)
11. **HEADMASTER'S REPORT**
Report of the Headmaster.
- For Decision**
(Pages 61 - 106)
12. **IT DEPARTMENT RESTRUCTURE**
Report of the Headmaster.
- For Decision**
(Pages 107 - 112)
13. **HEAD OF JUNIOR SCHOOL REPORT**
Report of the Headmaster.
- For Information**
(Pages 113 - 116)
14. **ARREARS OF FEES**
Report of the Headmaster.
- For Information**
(Pages 117 - 118)

15. **OUTREACH REPORT**
Report of the Headmaster.
For Information
(Pages 119 - 124)
16. **HEALTH AND SAFETY**
Report of the Headmaster.
For Information
(Pages 125 - 130)
17. **RISK REGISTER UPDATE**
Report of the Headmaster.
For Information
(Pages 131 - 138)
18. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE BOARD**
19. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE BOARD AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

Part 3 - Confidential Agenda

20. **HEAD TEACHERS INCREMENTAL PROGRESSION AND PERFORMANCE ASSESSMENT**
Report of the Director of Human Resources.
For Decision

BOARD OF GOVERNORS OF THE CITY OF LONDON FREEMEN'S SCHOOL Monday, 3 October 2016

Minutes of the meeting of the Board of Governors of the City of London Freeman's School held at City of London Freeman's School, Ashted Park, Surrey, KT21 1ET on Monday, 3 October 2016 at 11.00 am

Present

Members:

Deputy Roger Chadwick (Chairman)	Andrew McMillan
Stuart Fraser (Deputy Chairman)	Graham Packham
Deputy John Bennett	Philip Woodhouse
Deputy Brian Harris	Gillian Yarrow
Michael Hudson	

Officers:

David Arnold	-	Town Clerk's Department
Steven Reynolds	-	Chamberlain's Department
Mark Lowman	-	City Surveyor's Department
Roger Adams	-	City Surveyor's Department
Roland Martin	-	Headmaster
Evelyn Guest	-	Deputy Head (Pastoral)
Andrew McCleave	-	Deputy Head (Academic)
Matt Robinson	-	Head of Junior School
Sue Williams	-	Bursar

1. APOLOGIES

Apologies for absence were received from Nicholas Goddard, Alderman Tim Hailes, Clare James, Vivienne Littlechild, Hugh Morris, Deputy Elizabeth Rogula, Ian Seaton, and Cllr Chris Townsend.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were none.

3. MINUTES

RESOLVED – That the public minutes and non-public summary of the meeting held on 20 June 2016 be approved, subject to the addition of apologies for absence from Deputy John Bennett and Gillian Yarrow.

4. CHARITIES ADMINISTERED IN CONNECTION WITH (ICW) THE CITY OF LONDON FREEMEN'S SCHOOL -- DRAFT 2015/16 REPORT AND FINANCIAL STATEMENTS

The Board considered a report of the Chamberlain regarding the Charities administered in connection with the City of London Freeman's School and an

opportunity to consider whether part of the cash balance should be invested in the City of London Charities Pool.

In response to Governors' questions, the Chamberlain advised that the current balance of the City of London Charities Pool was approximately £21 million and the Bursar advised that donations towards bursaries from Livery companies were not included as they were held in a separate fund. The Chamberlain added that he would check whether the Charities Pool funds were measured against all equities and clarify for Governors.

RESOLVED – That:-

- a) the annual report and financial statements for the Charities administered in connection with the City of London Freeman's School be noted; and
- b) authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Board, to consider whether to invest part of the cash balance in the City of London Charities Pool.

5. CITY OF LONDON FREEMEN'S SCHOOL BURSARY FUND - DRAFT 2015/16 REPORT AND FINANCIAL STATEMENTS

The Board considered a report of the Chamberlain regarding the City of London Freeman's School Bursary Fund and an opportunity to consider whether part of the cash balance should be invested in the City of London Charities Pool.

RESOLVED – That:-

- a) the annual report and financial statements for the City of London Freeman's School Bursary Fund be noted; and
- b) authority be delegated to the Town Clerk, in consultation with the Chairman and Deputy Chairman of the Board, to consider whether to invest part of the cash balance in the City of London Charities Pool.

6. REVENUE OUTTURN 2015/16

The Board received a joint report of the Headmaster and the Chamberlain that provided details revenue outturn for 2015/16. Governors noted that the net income for 2015/16, before transfers to reserves, was £2.32 million compared to a budgeted position of £2.39 million, which represented a reduction in net income of £73,000 (3%). The Chamberlain added that the total School funds as at 31 March 2016 had increased by £957,257 since the previous year. Governors also noted that there was an error with the income and expenditure in the Analysis of Service Expenditure table in the report which would be corrected by the Chamberlain and re-circulated.

In response to a question from the Chairman, the Headmaster advised that the amount of money spent on scholarships would gradually decrease as fewer scholarships were being provided. Instead, gifted/talented children from less wealthy families would be encouraged to take the entrance exam and apply for bursaries.

In response to a Governor's question regarding the Freedom application process, the Chairman advised that the School's foundation charity fund received £30 of each £100 application fee, as agreed by the Finance

Committee during the 00s. Governors also noted that Freeman should know the applicant personally if supporting his/her Freedom application.

RESOLVED – That the Revenue Outturn for 2015/16 be noted.

7. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE BOARD**

There were none.

8. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

There was none.

9. **EXCLUSION OF THE PUBLIC**

RESOLVED – That, under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Section 12A of the Local Government Act.

10. **NON-PUBLIC MINUTES**

RESOLVED – That the non-public minutes of the meeting held on 20 June 2016 be approved.

11. **MINUTES OF THE MASTERPLAN FORUM**

RESOLVED – That the non-public minutes of the meeting held on 21 July 2016 be noted.

12. **HEADMASTER'S REPORT**

The Board considered a report of the Headmaster that provided updates regarding matters relating to the School's operational activities. The Board also gave close scrutiny to the Safeguarding Policy that had been updated in accordance with the Government's recent Keeping Children Safe in Education update.

RESOLVED – That the Headmaster's report be noted.

13. **GATEWAY 3 - ISSUES REPORT: MAIN HOUSE PROGRESS (2008 MASTERPLAN PHASE 2)**

The Board considered a joint report of the Headmaster and the City Surveyor that sought approval to the progression of the Freeman's School Main House works to Gateway 4.

14. **HEAD OF JUNIOR SCHOOL REPORT**

The Board received a report of the Headmaster that provided an overview of news and events in the Junior School since the last meeting.

RESOLVED – That the Head of Junior School's Report be noted.

15. **BURSAR'S REPORT**

The Board received a report of the Headmaster that provided an update regarding finance, estates and arrears of fees, amongst other matters.

RESOLVED – That the Bursar’s report be noted.

16. NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE BOARD

There were none.

17. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE BOARD AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

The Chairman advised Governors that the next Board meeting would be taking place at 10:30am on Tuesday 29 November 2016.

18. GOVERNORS' ONLY ITEM - HEADTEACHERS' PAY

This item was deferred to a later Board meeting.

The meeting ended at 1.30 pm

Chairman

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**ACADEMIC AND EDUCATION SUB COMMITTEE OF THE BOARD OF
GOVERNORS OF THE CITY OF LONDON FREEMEN'S SCHOOL
Monday, 14 November 2016**

Minutes of the meeting of the Academic and Education Sub Committee of the Board of Governors of the City of London Freeman's School held at City of London Freeman's School, Ashted Park, Surrey, KT21 1ET on Monday, 14 November 2016 at 11.30 am

Present

Members:

Deputy Roger Chadwick (Chairman)
Stuart Fraser (Deputy Chairman)
Andrew McMillan (Co-Opted Member)
Councillor Chris Townsend (Co-Opted Member)
Gillian Yarrow (Co-Opted Member)

Officers:

David Arnold	Town Clerk's Department
Roland Martin	Headmaster, City of London Freeman's School
Evelyn Guest	Deputy Head (Pastoral), City of London Freeman's School
Andrew McCleave	Deputy Head (Academic), City of London Freeman's School
Richard Dolan	Head of Upper School, City of London Freeman's School
Matt Robinson	Head of Junior School, City of London Freeman's School
Sue Williams	Bursar, City of London Freeman's School

- 1. APOLOGIES**
Apologies for absence were received from Deputy Brian Harris.
- 2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**
There were none.
- 3. MINUTES**
RESOLVED – That the public minutes of the meeting held on 20 May 2016 be approved, subject to addition of the Head of the Upper School to the list of Officers present.
- 4. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**
There were none.

5. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
The Chairman advised that the timing and location of the Sub-Committee meetings would be reviewed as the Finance, General Purposes and Estates Sub-Committee was inquorate for the second time in its last three meetings. Governors suggested that Members of this Sub-Committee could be included in the quorum of the Finance, General Purposes and Estates Sub-Committee to avoid future inquorate meetings.
6. **EXCLUSION OF THE PUBLIC**
RESOLVED - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.
7. **NON-PUBLIC MINUTES**
RESOLVED – That the non-public minutes of the meeting held on 20 May 2016 be approved.
- Matters Arising**
The Town Clerk advised that training for all Co-Opted Members of City Corporation Committees was provided during September 2016 and that Governors would be advised of any further upcoming training dates.
8. **HEADMASTER'S REPORT**
The Sub-Committee received a report of the Headmaster that provided Governors with an updated regarding matters relating to the Sixth Form, staffing, safeguarding, School policies, and Departmental reports.
RESOLVED – That the Headmaster's report be noted.
9. **NON PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**
There were none.
10. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE SUB COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was none.

The meeting ended at 12.50 pm

Chairman

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**INQUORATE MEETING OF THE FINANCE, GENERAL PURPOSES AND
ESTATES SUB-COMMITTEE OF THE BOARD OF GOVERNORS OF THE CITY
OF LONDON FREEMEN'S SCHOOL
Monday, 14 November 2016**

Minutes of the inquorate meeting of the Finance, General Purposes and Estates
Sub-Committee of the Board of Governors of the City of London Freeman's School
held at City of London Freeman's School, Ashted Park, Surrey, KT21 1ET on
Monday, 14 November 2016 at 10.30 am

Present

Members:

Deputy Roger Chadwick (Chairman)
Stuart Fraser (Deputy Chairman)

Officers:

David Arnold	Town Clerk's Department
Steven Reynolds	Chamberlain's Department
Roland Martin	Headmaster, City of London Freeman's School
Evelyn Guest	Deputy Head (Pastoral), City of London Freeman's School
Andrew McCleave	Deputy Head (Academic), City of London Freeman's School
Matt Robinson	Head of Junior School, City of London Freeman's School
Sue Williams	Bursar, City of London Freeman's School

1. APOLOGIES

Apologies for absence were received from Deputy Brian Harris and Philip Woodhouse. Governors also noted that Vivienne Littlechild had stood down from the Sub-Committee so there were now two vacancies. The Town Clerk would advertise the vacancies at the next Board of Governors meeting.

The Sub-Committee noted that there was an insufficient number of committee Members present to constitute a quorate meeting. The Chairman added that the location of future Sub-Committee meetings required discussion as City Corporation Members were not always able to travel to the School for meetings. However, it was noted that the School's Senior Leadership Team were not able to attend meetings at Guildhall together because at least one member of SLT would have to stay at the School. The Chairman requested that the possibility of Governors 'attending' meetings via video conference call be looked into.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were none.

3. **MINUTES**
The public minutes of the last meeting were noted.
4. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**
There were none.
5. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
There was none.
6. **EXCLUSION OF THE PUBLIC**
RESOLVED – That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Local Government Act.
7. **MINUTES**
The non-public minutes of the last meeting were noted.
8. **PRELIMINARY BUDGET 2017/18**
The Chairman and Deputy Chairman considered a report regarding the preliminary revenue budget for 2017/18.
9. **REPAIRS, MAINTENANCE AND IMPROVEMENTS FUND**
The Chairman and Deputy Chairman noted a joint report of the Chamberlain, Headmaster and City Surveyor regarding the repairs, maintenance and improvements fund for 2017/18 and were happy with the recommendation.
10. **IT DEPARTMENT RESTRUCTURE**
The Chairman and Deputy Chairman noted a report of the Headmaster that outlined out the proposals for a restructure in the IT Department at the City of London Freeman’s School following the Business review conducted in 2015/16 by ISQ. The Chairman and Deputy Chairman agreed with the recommendations.
11. **ARREARS OF FEES**
The Chairman and Deputy Chairman noted a report of the Headmaster regarding School fee arrears.
12. **NON-PUBLIC QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB COMMITTEE**
There were none.
13. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE SUB COMMITTEE AGREES SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**
There was none.

The meeting ended at 11.30 am

Chairman

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Committee	Date:
Board of Governors of the City of London Freemen's School	29 November 2016
Subject: Terms of Reference and Frequency of Meetings of the Board of Governors of the City of London Freemen's School	Public
Report of: Town Clerk	For Decision
Report author: David Arnold, Town Clerk's Department	

Main Report

As part of the post-implementation review of the changes made to the governance arrangements in 2011 it was agreed that all Committees/Boards should review their terms of reference annually. This will enable any proposed changes to be considered in time for the reappointment of Committees by the Court of Common Council.

The terms of reference of the Board of Governors of the City of London Freemen's School are attached as an appendix to this report for your consideration.

The Board is currently scheduled to meet four times each year: twice in the autumn term, once in the spring term, and once in the summer term.

Recommendation(s)

That, subject to any comments:

- a) the terms of reference of the Board be approved for submission to the Court as set out in the appendix; and
- b) The terms of reference of the Sub-Committees be reviewed and approved.

The Board are also asked to consider the frequency of their meetings going forward.

Appendices

- Appendix 1 – Terms of Reference of the Board of Governors of the City of London Freemen's School
- Appendix 2 – Terms of Reference of the Academic & Education Sub-Committee
- Appendix 3 – Terms of Reference of the Finance, General Purposes & Estates sub-Committee

David Arnold

Committee and Member Services Officer
Town Clerk's Department

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BOARD OF GOVERNORS OF THE CITY OF LONDON FREEMEN'S SCHOOL

1. **Constitution**

A Non-Ward Committee consisting of,

- up to two Aldermen nominated by the Court of Aldermen
- up to 12 Commoners elected by the Court of Common Council at least one of whom shall have fewer than five years' service on the Court at the time of their appointment
- the following ex-officio Members:-
 - the Chairman of the Board of Governors of City of London School
 - the Chairman of the Board of Governors of City of London School for Girls
- up to six co-opted non-City of London Corporation Governors with relevant experience of education

The Chairman of the Board shall be elected from the City Corporation Members.

2. **Quorum**

The quorum consists of any five Common Council Governors.

Any decision taken by the Board of Governors shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

3. **Membership 2015/16**

ALDERMEN

- 2 Timothy Hailes J.P.
- 2 Matthew Richardson

COMMONERS

- 13 (4) Roger Arthur Holden Chadwick
- 8 (4) Vivienne Littlechild, J.P.
- 4 (4) Hugh Fenton Morris
- 11 (3) Brian Nicholas Harris
- 8 (3) Elizabeth Rogula
- 4 (3) Philip John Woodhouse
- 12 (2) John Alfred Bennett, Deputy
- 8 (2) Michael Hudson
- 5 (1) Stuart John Fraser, C.B.E.
- 4 (1) Graham David Packham
- 3 (1) Adam Fox McCloud Richardson

together with :-

- Mr N. Goddard
- Mr A. McMillan
- Mr C. Townsend
- Mrs G. Yarrow

Together with the ex-officio Members referred to in paragraph 1 above

4. **Terms of Reference**

To be responsible for:-

- (a) all School matters;
- (b) the management of the School land and buildings belonging to the City of London Corporation;
- (c) the appointment of the Headmaster/Headmistress and, where appropriate, the deputies and the bursar.

Finance, General Purposes and Estates Sub-Committee

Composition

- Chairman and Deputy Chairman of the Board of Governors of the City of London Freemen's School
- Up to four other Governors appointed by the Board of Governors (one of whom must be a Common Council Governor).

The quorum shall be any three Governors.

Any decision taken by the sub-committee shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

The sub-committee should report to the following Board of Governors' meeting.

Terms of Reference

With power to act on the following matters:

- To agree action to be taken on arrears of fees; and
- To co-opt any Governor of the Board or any appropriately qualified professional to give advice on specific matters

To make recommendations for the Board's approval on the following matters:

- the annual budget, scrutinised at the appropriate stage in the planning cycle and to monitor spending against the budget each term;
- the acceptance, or not, of the annual budget;
- any proposed Fee increases;
- consideration of any proposals for Major capital spending, as defined in the Capital Programme;
- the review of any investments and reserves held by the school;
- major developments (e.g. new buildings);
- compliance with health & safety requirements; and
- to make recommendations to the full Board on any other finance issues which may arise (e.g. a rise in employers' contribution to pensions, salary structure, etc).

Academic and Education Sub-Committee

Composition

- Chairman and Deputy Chairman of the Board of Governors of the City of London Freemen's School
- Up to four other Governors appointed by the Board of Governors (one of whom must be a Common Council Governor).

The quorum shall be any three Governors.

Any decision taken by the sub-committee shall require the agreement of a majority of Common Council Governors present at the meeting and voting.

The sub-committee should report to the following Board of Governors' meeting.

Terms of Reference

With power to act on the following matters:

- To agree requests for Sabbatical Leave; and
- To co-opt any Governor of the Board or any appropriately qualified professional to give advice on specific matters.

To make recommendations for the Board's approval on the following matters:

- the development, monitoring and review of policies relating to educational provision to ensure compliance with legal or good practice requirements;
- curriculum and co-curricular issues;
- standards, including academic results;
- pastoral and ethos policy and practice;
- INSET and Professional Development policy and practice;
- staffing issues;
- to monitor general compliance with child protection requirements (not involving individual cases); and
- to make recommendations on any other issues which have been referred by the full Board.

Committee(s):	Date:
Board of Governors of the City of London Freemen's School	29 November 2016
Board of Governors of the City of London School for Girls	2 December 2016
Board of Governors of the City of London School	7 December 2016
Subject:	Public
New Managing People Policy and revised Disciplinary and Grievance Procedures	
Report of:	For Decision
Director of Human Resources	
Report author:	
Tracey Jansen, Town Clerk's Department (HR)	

Summary

To update the Committee on the new approach taken to review the HR policies and procedures for teaching staff. In particular the report introduces the Managing People overarching Policy which sets out the standards expected of teachers, Senior Leadership Teams and Head Teachers in relation to people management issues. The new approach emphasises the importance of taking action informally and swiftly before matters escalate. The Policy clarifies the appropriate level of management for taking action at different stages in the associated procedures. The overall approach is one of collaboration and resolution as opposed to an adversarial approach at both the informal and formal stages of the procedures. As part of the new approach, disciplinary and grievance Procedures have been reviewed and are attached for the Committee's approval.

Recommendation(s)

The Committee is asked to approve:

- i. the Managing People Policy (Appendix 1);
- ii. the Disciplinary Procedure (Appendix 2) and;
- iii. the Grievance Procedure (Appendix 3).

Main Report

Background

1. Over the last year corporate HR in conjunction with the schools' own HR officers and senior leadership teams, have reviewed, updated and launched the revised Teachers Guide.
2. Following consultation with the head teachers, the schools' HR community, legal, and the staff side and common rooms, revised disciplinary and grievance procedures have been developed for teaching staff. These are based on the

revised procedures that have been in place for all non-teaching staff for almost 2 years and have been commended by managers and trade unions alike.

3. The new approach is to have an overarching policy statement (the new Managing People Policy) to set out the policy, intent, standards and responsibilities of the various parties. The procedures are based on the ACAS (Advisory, Conciliation and Arbitration Service) Code of Practice and current best practice. The specific procedures in relation to disciplinary, grievance, sickness management, capability and probation will sit underneath the headline Managing People Policy.
4. The main aim of the review of the procedures in response to consultation has been to streamline simplify and standardise the procedures so that they are easy to follow keeping information that is more appropriate for guidance and training separate to the standards expected and procedural stages.

Current Position

5. Whilst formal procedures for the resolution of issues are of course necessary and appropriate for the resolution of disciplinary and grievance matters, there is a tendency to turn to them when matters could be dealt with more informally and often at a much earlier stage. At the three City schools there has been little need to turn to the formal procedures with most issues being resolved at the local level. There has only been one Member level disciplinary committee convened in the last three years to hear an appeal against dismissal. Whilst it is proposed that the Disciplinary Committee will still consider appeals against dismissal, the main activity will be contained within the school environment making better use of the senior management to support the head. This brings the teachers' formal procedures in line with non-teaching staff and better supports a collaborative and solution based approach. The proposed revised disciplinary and grievance procedures emphasise the importance of early intervention and action. Both the revised grievance and disciplinary procedures are of a collaborative and resolution based approach. The main highlights of the new procedures are:

Disciplinary Procedure

- Clarifies the use of the informal stage and warnings;
- Clarifies the role and remit of the investigating officer;
- Following the formal investigation and by agreement, includes ability to award penalties without a hearing where a warning is the maximum penalty. Potential dismissal cases will always require a full hearing.
- Members of the Senior Management Team (SMT) / Senior Leadership Team (SLT) and not just the Head are now able to preside over Disciplinary Hearings including dismissals up to and including SMT / SLT levels.
- Appeals against warnings issued to teachers up to and including SMT / SLT levels can now be heard by the Head or Deputy Head.
- Appeals against dismissal up to including SMT/ SLT level will either be heard by the Head and Director of Human Resources or their representative or the Teachers' Disciplinary Committee.
- Appeals against dismissal for Deputy Head levels will be heard by the Teachers' Disciplinary Committee.

- Includes provision to have appeals as a paper review without the attendance of parties.

Grievance Procedure

- Emphasises use of informal resolution and mediation as the preferred route.
- Focus on what the employee is expecting by way of resolving their grievance as opposed to turning immediately to formal investigation.

Implementation

6. The intention is for the Managing People Policy and grievance and disciplinary procedures to be implemented on 1 January 2017. There are currently no formal live cases that would be affected by the change to the new policy and procedures.

Corporate & Strategic Implications

7. The proposals support the corporate values of Lead, Empower & Trust and enable the head teachers and their senior management teams to deal with staff complaints and matters of conduct matter swiftly at the local level.

Implications

8. Legal requirements have been incorporated in the revised procedures.

Conclusion

9. The review of these key procedures support the principles of streamline simplify and standardisation of our approach to managing people and our related policies and procedures. It aligns the teachers' disciplinary procedure to all non-teaching staff. The responsibility of managers to resolve their people management issues is made clear and complements the values Lead Empower and Trust.
10. Dealing with people management issues efficiently and consistently across departments has a number of benefits. It improves general leadership and management skills, sets a good example for staff, can improve motivation of staff, and frees up the manager's time to deliver the high quality service provision expected of them.

Appendices

- Appendix 1 – new Managing People Policy
- Appendix 2 - revised Disciplinary Procedure
- Appendix 3 – revised Grievance Procedure

Tracey Jansen

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APPENDIX 1

E2 Managing People Policy

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Statement of intent

1. The City of London Corporation strives to be an excellent employer with a modern suite of employee benefits, employment policies and procedures. It prides itself on being committed to providing high quality management, valuing the diversity of its workforce and providing the best possible learning and development opportunities for its teachers, which in turn will enable excellent service delivery.
2. The City Corporation's [Code of Conduct](#) for teachers sets out the standard of conduct required at work.
3. Managers are expected to provide teachers with appropriate supervision, guidance and the necessary tools and equipment to undertake their duties. However where standards of behaviour, performance, conduct or attendance fall short of that expected by the City Corporation, managers will take appropriate steps as set out in this policy.

4. Managers who are involved in the formal stages of the procedures are expected to be open minded, non-biased and treat teachers consistently and fairly during the course of investigations and hearings.
5. From time to time teachers may also have concerns, problems or complaints about their working environment, conditions or treatment at work. Managers are expected to deal with these swiftly and informally wherever possible mediating between parties, notwithstanding the teacher's right to progress such matters through the formal process where necessary.

Scope

6. This policy applies to all teachers of the City Corporation and any other staff on teachers' terms and conditions of employment who have completed their probationary period, except for Head Teachers for whom separate procedures apply. This policy does not apply to agency workers, consultants or other workers providing services to the City Corporation.
7. The specific procedures to which this policy applies are:
 - Disciplinary Procedure
 - Grievance Procedure
 - Capability Procedure
 - Sickness Absence Management Procedure

Teachers do not have to have completed their probationary procedure to use the Grievance Procedure.

8. The Director of Human Resources will be responsible for the interpretation, advice and management of these procedures on behalf of the City Corporation.

Purpose of the Managing People Policy

9. To provide clarity about how the behaviour, actions, performance or attendance of teachers that falls short of that expected by the City Corporation and its schools will be dealt with.
10. To provide an informal and formal mechanism for teachers to raise grievances about their working environment, conditions or treatment at work.
11. To detail the formal procedures to be followed where informal action has not resulted in the required standard being sustained on a consistent basis and/or informal action is not appropriate in the circumstances.
12. To foster a working environment that as appropriate:
 - Addresses minor issues in an informal setting

- gives teachers the confidence to raise concerns and grievances without fear of reprisal
- supports and encourages improvement
- learns from mistakes and experience
- takes into consideration the working relationship with colleagues, pupils, parents, carers and stakeholders and their needs and expectations.

Aims

13. To provide a fair and consistent approach to the way teacher grievances and matters of poor standards of behaviour, conduct, performance, capability and attendance will be dealt with.
14. To deal with such matters swiftly and at the lowest level within the procedure as is appropriate in the circumstances.
15. To follow good management practice and ACAS Code of Practice on Disciplinary and Grievance Procedures in the handling of such matters.

Responsibilities

16. Managers are expected to:
 - Manage all teachers consistently, fairly and objectively
 - Ensure teachers receive appropriate induction supervision and guidance to enable them to do their job effectively
 - Ensure the formal appraisal process is undertaken
 - Highlight rules, processes and procedures and any other standards expected
 - Ensure any changes to these are clearly notified to teachers
 - Deal with any matters of concern promptly, clarifying as appropriate what the concern is, what the required standard is and as appropriate an action plan which may include any support/training that will be provided, timescale for improvement, monitoring and review period
 - In the case of grievances deal with matters swiftly and as informally as possible; clarify the issue/s and remedy sought; be clear about what outcome can realistically be achieved
 - Keep notes of incidents and of meetings held with teachers where concerns are raised and ensure an appropriate level of confidentiality is maintained
 - Treat their involvement in the formal stages of the procedures as high priority to facilitate early resolution
 - Keep people management issues confidential to parties involved
 - Comply with the spirit and meaning of this policy and procedures within it

17. Teachers are expected to:

- Honour the terms of their contract of employment
- Perform their role to a high standard, working constructively with their manager and colleagues
- Comply with rules, agreed procedures, standards and reasonable management instructions
- Work collaboratively with managers and colleagues to raise, address and resolve concerns and problems at work in a timely fashion and wherever possible informally
- Treat colleagues, pupils, parents, carers and stakeholders with dignity and respect
- Co-operate with disciplinary and grievance investigations, meetings and hearings undertaken by managers and treat such matters confidentially
- Maintain good attendance and time keeping

18. HR will:

- Provide managers with professional guidance and advice on the operations of this policy and procedures within it
- Attend formal hearings and appeals to provide guidance and advice to support the Hearing/Appeal Officer
- Monitor formal action to ensure compliance with this policy and for statistical purposes.

Levels of authority

19. The types of action that can be taken by different levels of management can be found in the table at the end of this document. For the purposes of this policy the teachers included at each level are:

Level 1

Head

Level 2

Deputy Head

Level 3

Any other member of Senior Management Team (SMT) or Senior Leadership Team (SLT)

Level 4

Heads of Academic Departments, Departmental Human Resources

20. These are the minimum levels at which action can be taken. The assumption is that matters will generally be conducted within the reporting line unless there are exceptional circumstances agreed by Director of Human Resources.
21. In addition in exceptional circumstances:
- Heads with the approval of Director of Human Resources may delegate the formal Level 2 responsibilities to SMT or SLT and to teachers below that level who are appropriately trained and/or have the necessary experience for decisions up to but not including possible dismissal. This would generally apply in situations where there are limited or no Level 2 managers available.
 - Equivalent levels from the City Corporation may also undertake informal and formal stages of the procedures at the City of London Schools.
 - Director of Human Resources may approve the use of interim managers either internal to City Corporation or from an external organisation who are appropriately trained and/or have the necessary experience to undertake the formal stages of the procedures.
22. The Teachers' Disciplinary Committee will be comprised of the Chairman, Deputy Chairman of the appropriate Board of Governors plus the Head of another one of the City Schools. The Teachers' Grievance Committee will be comprised of the Chairman, Deputy Chairman and one other member of the Board. The Disciplinary Hearing Officer or Grievance Resolution Manager will present the case.

List of appendices

None

Links / Other resources

[Disciplinary Procedure](#)

[Grievance Procedure](#)

[Capability Procedure](#)

[Sickness Absence Policy](#)

See next page for: *Table: Management levels authorised to take action*

Table: Management levels authorised to take action

Type of Action	Level 1	Level 2	Level 3	Level 4
<ul style="list-style-type: none"> 1-2-1s 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Informal discussions, resolution and warnings Sickness RTW and informal meetings Formal Sickness Stages 1 and 2 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Approve use of formal disciplinary procedures and commission Investigating and Hearing Officers 	Yes	Yes		
<ul style="list-style-type: none"> Formal Disciplinary Investigations Grievance Investigations and Formal Resolution meetings 	Yes	Yes	Yes	Yes
<ul style="list-style-type: none"> Suspension from duty up to and including SMT / SLT 	Yes plus DHR or rep	Yes plus DHR or rep		
<ul style="list-style-type: none"> Disciplinary Hearings including dismissal up to and including SMT / SLT Final Sickness Stage meetings including dismissal up to and including SMT / SLT 	Yes plus an HR rep	Yes plus an HR rep	Yes plus an HR rep	
<ul style="list-style-type: none"> Disciplinary Appeals other than dismissal up to and including SMT /SLT All Grievance Appeals up to and including SMT /SLT 	Yes plus an HR rep	Yes plus an HR rep		
<ul style="list-style-type: none"> Appeals against Dismissal up to and including SMT / SLT 	Yes either independent to the school plus DHR rep, or the Teachers' Disciplinary Committee			
<ul style="list-style-type: none"> Suspension from duty Deputy Head Recommendation for Sickness Absence 'deferred action' 	Yes plus DHR or rep			
<ul style="list-style-type: none"> Disciplinary Hearings (including dismissal) Deputy Final Sickness Stages (including dismissal) Deputy Head 	Yes plus DHR or rep			
<ul style="list-style-type: none"> Disciplinary Appeals other than dismissal Deputy Head Grievance Appeals Deputy Head 	Yes either independent to the school plus an HR rep or the Teachers' Disciplinary or Grievance Committee			
<ul style="list-style-type: none"> Appeal against Dismissal Deputy Head 	Teachers' Disciplinary Committee			

APPENDIX 2

E4 Disciplinary Procedure

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Introduction

1. The City of London Corporation expects the conduct and integrity of teachers to be of the highest standard. The Director of Human Resources will be responsible for the interpretation, advice and management of this procedure on behalf of the City Corporation.
2. The objectives of this procedure are to:
 - Help teachers whose conduct give cause for dissatisfaction, to improve to the required standard.
 - Clarify how matters requiring formal action (including gross misconduct) will be dealt with by an appropriate level of management as defined in the Managing People Policy.
 - Ensure that teachers are treated fairly and consistently.
3. In the interests of natural justice, fairness and prompt resolution to work place issues, all teachers are required to cooperate with the disciplinary process including investigations and attending meetings etc. in a timely fashion. All teachers must appear in person when requested to do so and answer questions asked of them by the Investigating/Hearing Officer. All teachers including those under investigation or interviewed as witnesses must maintain confidentiality about matters being considered under the Disciplinary Procedure. Issues of capability will normally be dealt with through the Capability Procedure.

Scope

4. This policy applies to all teachers of the City Corporation who have completed their probationary period, except for Heads for whom separate procedures apply. This policy does not apply to agency workers, consultants or other workers providing services to the City Corporation.

Safeguarding Issues

5. Where concerns/allegations are made against staff which relate to safeguarding, the requirements of the Child Protection Process will be instigated. Suspension in accordance with this disciplinary procedure will be considered and kept under review until the concern/allegation made has been considered and the appropriate course of action determined. Where a disciplinary investigation is instigated the requirements under the Child Protection process will also be complied with.

Informal approach

6. In the normal course of day-to-day work and supervision, teachers will be made aware of minor shortcomings in conduct and encouraged to improve. For more serious matters or where the necessary improvement is not achieved and sustained the concern can be confirmed in writing outlining the standard required and/or improvement sought and if there is not a sustained improvement or there is a repetition then the matter will progress to the formal Disciplinary Procedure.
7. When an issue of concern or incident comes to light, before using the formal Disciplinary Procedure, a swift initial fact-finding investigation will take place to determine whether the matter in question warrants a formal investigation. Upon completion it may be considered appropriate to deal with the matter informally as outlined above as an alternative to formal action.
8. Any informal approach can be taken into account when deciding whether to commence the formal Disciplinary Procedure but will not normally be taken into account when deciding on any subsequent formal disciplinary penalty.

Formal procedure

Formal investigation

9. Before any formal disciplinary action is taken, a formal investigation will take place. An officer will be appointed as the Investigating Officer by the Commissioning Manager. The Investigating Officer will usually be a manager from the service area or in some circumstances an officer from another service area or an independent appropriately qualified person. The Investigating Officer may be supported by a Human Resources representative. In the case of possible fraud theft corruption or bribery the Head of Internal Audit will also be informed.
10. Depending on the nature of the case an investigation is likely to involve interviewing the teacher, potential witnesses and gathering documentary evidence. The teacher and each witness will be provided with a record of their interview. The record will usually be a note of key points and not a verbatim record of the meeting. In some exceptional circumstances, it may be considered appropriate to record disciplinary interviews or hearings and in such circumstances the teacher will be advised of the reason for doing so and will be provided with a copy of the recording and the transcript where one is produced. Teachers and/or their representatives may take their own notes of meetings but cannot record any meetings or hearings using electronic devices e.g. mobile phones.
11. Where a grievance is raised during the course of a disciplinary procedure, in some circumstances it may be appropriate to suspend the formal disciplinary action in order

to deal with the grievance. In other circumstances where they are related it may be appropriate to deal with the matters concurrently as one investigation but with clear outcomes under each procedure. The Director of Human Resources will determine the appropriate way forward if this arises.

Right to representation during the formal stages

12. The teacher under investigation has the right to be accompanied by a trade union representative or a co-worker of their choice during all stages of the formal process. In exceptional circumstances the Investigating Officer/Hearing Officer in consultation with Human Resources may be prepared to consider an external representative who is not legally qualified. The teacher will need to submit any such request giving full reasons why an exception should be made to the Investigating Officer/Hearing Officer whose decision, in consultation with Human Resources will be final.
13. If the teacher is an accredited trade union representative (shop steward), with the teacher's permission, the Investigating Officer will discuss the matter with a paid official of the union at an early stage and before any formal proceedings commence.

Postponements and non-attendance at formal disciplinary investigations and meetings

14. A meeting may be re-arranged if the teacher fails to attend through circumstances outside their control, such as illness. Thereafter and depending on the circumstances where a teacher continues to be unavailable to attend a meeting or fails to make contact, the teacher may be advised that the investigation will be concluded based on the evidence available. Alternatives such as telephone interviews and Skype may be considered where agreed between parties. In appropriate cases the Occupational Health Adviser may be consulted about a teacher's fitness to attend a meeting or hearing.

Precautionary Suspension

15. At any stage before the investigation has begun, or whilst it is being carried out, the teacher may be suspended from attending work by the Head or Deputy Head if it is considered necessary or expedient to enable investigations to be made, or if it is considered inappropriate for the teacher to continue at work during the investigation. The suspension is a precautionary act and not a disciplinary sanction in itself and will be kept under review. In the absence of the Head or Deputy Head who would normally authorise a suspension a teacher can be sent home by a more junior manager pending a formal suspension from duty.

16. Generally a teacher is suspended only in more serious cases and will continue to receive normal pay only. Excluded from normal pay are; reimbursement of expenses, and abnormal or occasional payments.
17. In exceptional circumstances such as serious allegations of fraud or theft or in circumstances where the teacher has breached the terms of their suspension or has otherwise hampered the investigation, suspension may be on nil or reduced pay as determined by the Director of Human Resources.

Outcome of the investigation

18. At the end of the formal investigation the Investigating Officer will prepare a management report with their findings and make recommendations to the Commissioning Manager including:
 - whether there is a case to be answered;
 - clarifying what any specific allegations are;
 - whether the matter can be dealt with informally or if formal action is warranted;
 - an indication of the possible range of penalties if the allegations are upheld at a formal Disciplinary Hearing in order to determine the level of management required to deal with the case.
19. The teacher will be advised of the outcome of the investigation. The investigation may indicate:
 - there is no case to be answered or
 - there are no grounds for formal disciplinary action and, if they have been suspended, the teacher will return to work or
 - there is a case to be answered but the Commissioning Manager may consider that the matter can be dealt with informally as outlined in paragraph 4 above or
 - there are grounds for taking formal action

Accepting a disciplinary penalty without a hearing

20. Where the decision is that there are grounds for taking formal action or at the point when the teacher has received the full management report, if the teacher accepts the allegations made against them, they may request that the Commissioning Manager reviews the case on paper and indicates the likely penalty and any standard setting. The teacher may agree to accept the penalty, which will be confirmed in writing without the need for a formal hearing or recourse to an appeal against the decision. In all other circumstances a hearing will be arranged. Where the outcome may result in dismissal, this will always necessitate a formal hearing to consider the case in full.

The Disciplinary Hearing

21. The Commissioning Manager will appoint a Hearing Officer or may hear the case in person advised by a Human Resources representative. In some circumstances it may be necessary to have a specialist professional technical adviser present to provide advice to the Hearing Officer on complex technical matters but only in an advisory capacity. The Investigating Officer will present the disciplinary case on behalf of management.

Notification of the hearing

22. The teacher will be given written notice of the Disciplinary Hearing, the date, time and venue, giving not less than 7 working days' notice to prepare. However the teacher may agree to a shorter period of notice. The notification will include:

- The alleged misconduct and the possible outcome;
- A copy of the management report and any supporting documents including statements which have been taken during the course of the investigation; the names of witnesses attending the hearing and the right to be accompanied.
- The name and job title of the Hearing Officer

The teacher may offer a reasonable alternative time within five days of the original date of the Disciplinary Hearing if their chosen companion is unable to attend.

23. Teachers must submit any documentation or names of witnesses they wish to call and the name of their companion at least 3 working days before the date of the Disciplinary Hearing. It is the teacher's responsibility to arrange for any witnesses to attend who have not been interviewed by the Investigating Officer or to request the attendance of any additional witnesses who have been interviewed by the Investigating Officer.

24. The arrangements to be adopted at a formal Disciplinary Hearing are outlined in Appendix 1.

Determining the outcome

25. The purpose of the Disciplinary Hearing is to ensure that the Hearing Officer as the decision maker is satisfied that they have allowed the teacher to respond to the allegations; considered the evidence and case put by both sides; and if necessary called for additional information. The Hearing Officer will weigh up all of the evidence and decide on the balance of probability whether the allegations are upheld in full, partially or not at all.

26. The penalty imposed will depend on the seriousness of the case, known mitigating factors, and relevant employment history (the teacher's disciplinary record including current warnings, general work record, work experience, position and length of service). In the case of a serious offence, a teacher may be given a final written warning even if it is a first offence. Similarly a teacher may be dismissed for gross misconduct even if it is a first offence.
27. Disciplinary decisions will not be based on an expired warning but where a pattern emerges, the fact that there is an expired warning may explain why a lesser sanction was not given. In the case of gross misconduct, a teacher will usually be dismissed without notice. A non-exhaustive list of examples of conduct which are regarded as gross misconduct is provided at paragraph 30 of this procedure. Should the offence involve financial irregularities then the City Corporation will aim to recover assets and take appropriate action including notifying the police.
28. The outcome of the Disciplinary Hearing will either be notified at the end of the hearing or if adjourned, will follow in writing as soon as practicable usually within 5 working days of the Disciplinary Hearing. Where there is no case to be answered this will also be confirmed in writing.

Penalties and other sanctions

29. If the case is proven on the balance of probabilities, then one or more of the following penalties may be imposed:
 - A written warning
 - A final written warning
 - Dismissal with notice
 - Dismissal without notice
30. Further penalties which could be imposed in conjunction with, or as an alternative to any form of warning include:
 - Withholding an increment
 - Suspension for up to 10 working days without pay
 - Demotion or redeployment where an alternative position is available
 - Specified training or re-training

Examples of Gross Misconduct

31. The following non-exclusive list provides examples of offences which are generally regarded as gross misconduct:
 - theft, fraud, deliberate falsification of records, corruption or bribery

- fighting, serious abuse towards or assault on another person
- deliberate damage to property
- serious incapability through alcohol or being under the influence of drugs
- serious negligence or dereliction of duty which risks or causes unacceptable loss, damage or injury
- a serious act of insubordination
- unlawful discrimination or harassment of a fellow co-worker or customer
- misuse of information technology, computers and other electronic devices provided for or used for work purposes
- serious contravention of statutory regulations, including those relating to health and safety, that would render the School, City Corporation or its teachers or employees liable to legal action or bring the School or City Corporation into disrepute
- ill treatment of schoolchildren
- a breach or omission relating to safeguarding of a pupil, client or young or vulnerable person
- serious breach of confidentiality
- offences or actions within or outside the City Corporation employment which by their nature either:
 - a. prevent the teacher from continuing to do the job for which they were employed; or
 - b. seriously call into question the teacher's fitness to continue in the job which s/he was employed to do; or
 - c. have or could have a damaging effect on the reputation and integrity of the City Corporation or its partners; or
 - d. considered to be a wilful breach of the trust and confidence that is implicit between the employer, teacher and work colleagues.

Time limits for warnings

32. All formal written warnings will usually be effective for a specified period, which will be communicated at the time the decision is taken. Generally, final warnings will be effective for 12 months and other warnings for 6 months from the date of the disciplinary decision. They could be longer in certain circumstances. If there is no further misconduct in this period, warnings will usually be disregarded for disciplinary purposes. Disciplinary warnings relating to safeguarding issues will always have to be declared in reference requests.
33. There may be occasions where a teacher's conduct is satisfactory throughout the period the warning is in force, only to lapse very soon thereafter. Where a pattern emerges and/or there is evidence of abuse of the disciplinary process, the teacher's

disciplinary record should be borne in mind in deciding how long any warning should last.

34. Exceptionally, there may be circumstances where the misconduct is so serious that it cannot realistically be disregarded for future disciplinary purposes. In such circumstances it will be noted in the disciplinary decision.

Right to appeal

Appeals can be heard in two ways, either within the school by the Head or Deputy Head if not previously involved or by the Teachers Disciplinary Committee.

35. Appeals must be made in writing within 5 working days of receipt of the original decision. Appeals must specify the grounds of appeal and may relate to the severity of the sanction, application of the procedure, new evidence which was not previously available or any other reason which must be specified. Appeals against disciplinary warnings must be made to the Head. Appeals against dismissal must be made to the Director of Human Resources.
36. In the case of appeals against dismissal for Deputy Heads, the appeal will be heard by the Teachers' Disciplinary Committee. For teachers up to and including Senior Management / Leadership Team level they may opt to have the appeal heard by the Head, or independent equivalent levels from another of the City's Schools or a hearing before the Teachers' Disciplinary Committee in accordance with the Managing People Policy. All Appeal Hearings will be supported by a Human Resources representative.
37. The teacher may request that their appeal is a review of the paperwork only, without the attendance of either party at a hearing. In these circumstances if the Head is agreeable to such an approach, the Disciplinary Hearing Officer will be asked to submit the appeal pack as outlined in paragraph 38. The Appeal Officer supported by a Human Resources representative may seek the advice of a technical specialist however this is in an advisory capacity only. The appeal decision will be final and confirmed in writing. In all other cases an Appeal Hearing as outlined in Appendix 2 will be arranged.
38. On receipt of an appeal the Disciplinary Hearing Officer will be required to make a written response to the appeal within 10 working days of receipt of the appeal and this will be shared with the teacher. The Disciplinary Hearing Officer will be responsible for producing an appeal pack which will include the original disciplinary documentation; record of the Disciplinary Hearing; the decision letter; the appeal submission and the Disciplinary Hearing Officer's response to the appeal.
39. Appeals will normally be heard within 15 working days of the appeal being received. Appeal Hearings will normally be a review of the disciplinary decision and consideration of the specific grounds of appeal. It is not usual to have new evidence

or witnesses present from either side, apart from the Investigating Officer. Any request for new evidence or witness attendance must be made at the time of making the appeal to the Head / Deputy Head / Director of Human Resources for consideration explaining why the new evidence or witness evidence was not provided at the time the original decision was made and how the evidence is material. The Head's / Deputy Head's Director of Human Resource's decision will be final and the teacher will need to provide any agreed additional documentation no more than 5 working days after this decision.

List of appendices

Appendix 1 – Disciplinary Hearing Format

Appendix 2 – Appeal Hearing Format

Links / Other resources

- [Managing People Policy](#)
- [Employee Assistance Programme](#)
- ACAS Code of Practice 1 - Disciplinary and Grievance Procedures

APPENDIX 3

E5 Grievance Procedure

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Introduction

1. The aim of this grievance procedure is to encourage the successful resolution of a teacher's concerns, problems or complaints swiftly and at the lowest practicable level. It is envisaged that most issues will be satisfactorily resolved at an informal level, however the procedure also sets out the process for raising grievances formally and the right to appeal in circumstances where the teacher remains dissatisfied. The Director of Human Resources will be responsible for the interpretation, advice and management of this procedure on behalf of the City of London Corporation.

2. The key objectives are to ensure that:
 - teachers raise, and managers deal with concerns and problems including complaints of bullying and harassment, wherever possible informally, promptly and within one month of the issue occurring
 - teachers attempt to resolve issues they have with colleagues directly and constructively
 - teachers and managers work collaboratively to resolve issues on a 'no blame' basis
 - to clarify how matters requiring formal action will be dealt with by an appropriate level of management as defined in the Managing People Policy
 - appropriate points of contact/support and timescales are given to the teacher who raises a grievance
 - teacher grievances are handled fairly, consistently, swiftly and with appropriate confidentiality
 - there is clarity about issues raised which are more appropriately dealt with under an alternative procedure such as disciplinary, whistleblowing or where an appeal/review mechanism is already in place
 - there is compliance with employment legislation and the ACAS Code of Practice.

Scope

3. This policy applies to all teachers of the City Corporation except for Heads for whom separate procedures apply. This policy does not apply to agency workers, consultants or other workers providing services to the City Corporation.

Stage 1 Informal resolution

4. Teachers are encouraged to raise issues of concern or complaints that they have about work with their line manager or colleagues direct on an informal basis. Open communication is often the quickest and best way of resolving grievances, depending on the issue involved. If the issue is about the line manager then the teacher can raise the matter with their line manager's manager if it is not possible to deal directly with the line manager.
5. Informal resolution should always be viewed as a constructive and a credible response. It provides an opportunity for managers, teachers and colleagues to discuss situations in a supportive, empathetic and solutions-focused way. Constructive dialogue promotes positive behaviours and effective relationships in the workplace, fostering an environment of mutual understanding and respect.
6. When there is potential conflict at work, such as disagreement between colleagues, an early resolution meeting with coaching or mediation by the manager or in some

situations a third party, should help to identify a mutually acceptable outcome to remedy the situation being complained about. Informal resolution aims to support colleagues by securing lasting and constructive solutions in a non-adversarial way. Any agreement reached is both voluntary and confidential.

7. An initial outcome of informal resolution may be that line manager determines that the matter should be dealt with formally as outlined in paragraph 12 and they will be asked to complete a grievance complaint form.
8. If a teacher believes that their grievance has not been resolved to their satisfaction through the informal approach, then they can progress to the formal procedure.

Stage 2 Formal grievance resolution – Initial meeting

9. A teacher must put their formal grievance in writing to the manager's manager if it is not possible to deal directly with the line manager setting out the nature of the grievance, what steps they have taken to resolve it and what resolution they seek. They should do so within one month from the date the teacher tried to resolve the matter informally or from the issue occurring where it is agreed by the manager that the matter should be raised formally. At the very latest the teacher's formal grievance should be submitted within three months of the last incident occurring. A grievance complaint form is available to assist teachers for setting out their grievance.
10. On receipt of the formal grievance, the manager (referred to as the Grievance Resolution Manager for the purposes of this procedure) will arrange to meet with the teacher usually within 5 working days of receipt of the grievance. The Grievance Resolution Manager will usually be accompanied by an HR representative.
11. The teacher is entitled to be accompanied at the meeting by a fellow worker or trade union representative. The teacher and their companion must make every effort to attend any meetings arranged to consider their grievance. If the teacher's companion cannot attend on the date arranged the teacher may offer a reasonable alternative date and time so long as it is no more than five working days after the original date.
12. The purpose of the formal grievance resolution meeting is to:
 - establish and clarify the facts about the teacher's grievance
 - consider the resolution they seek
 - consider steps they have taken to resolve the matter informally
 - explore what action can reasonably be taken to resolve the matter
 - confirm that save for exceptional circumstances any teacher complained about will be provided with an agreed summary of the complaint made against them and will be given the opportunity to respond. The Grievance Resolution Manager will determine how this will take place (eg by interview with the

Grievance Resolution Manager, making a written statement in response or in some circumstances attendance at the resolution meeting)

- discuss the level of confidentiality that can be maintained and who else will need to be involved if at all, in order to resolve the grievance
- to approach the meeting in a constructive, honest and collaborative fashion to seek solutions rather than apportion blame. Relevant parts of the decision and/or action plan drawn up will be shared with other parties to the grievance

Format of the Grievance Resolution Meeting

13. The teacher will outline their grievance and may bring to the meeting any documentation by way of example and can suggest colleagues who may be able to substantiate their complaint or concern.
14. The Grievance Resolution Manager may ask the teacher questions about the circumstances of the grievance in order to establish all the relevant facts, dates, background and surrounding circumstances etc.
15. The Grievance Resolution Manager has the right to ask the teacher to respond to questions directly put to them, although the teacher may on request confer with their representative at any time during the meeting.
16. Once the Grievance Resolution Manager has a clear understanding about the grievance, there could be 3 possible outcomes at this stage:
 - The Grievance Resolution Manager may be able to suggest a solution/action plan at the meeting.
 - The Grievance Resolution Manager may decide to adjourn (usually reconvening within ten working days) in order to consider the matter further, check facts, dates, documentation, etc. - and may wish to interview other employees in connection with the complaint/concern.
 - The Grievance Resolution Manager may decide that due to the complexity of the matter a formal investigation is warranted which they will usually undertake in person or might allocate to another manager within the department. In exceptional circumstances an independent manager outside the service may be more appropriate due to the nature of the complaint and in such cases the Director of HR's representative will be consulted and will determine if this is an appropriate route. However investigations must be prioritised by all involved, be proportionate and balanced, only involving those necessary to make an informed decision, dealt with without delay, usually within 3 weeks of the grievance resolution meeting.
17. The manager will also consider any temporary changes to the workplaces that might be appropriate whilst the grievance is being dealt with.

Stage 2 Formal resolution – Outcome letter

18. The manager will confirm their decision in writing which will usually include:
- a summary of the issues and the teacher's proposed solution and any immediate action/s agreed at the meeting
 - the decision and any action plan and review period/ date and the right to appeal against the decision

Stage 3 Appeal

19. If the teacher considers the grievance has not been satisfactorily resolved, they have the right to submit an appeal in writing to their Head within 5 working days of receipt of the outcome of the Grievance Resolution Meeting. The appeal will outline which elements of the decision and/or action plan are not agreed and the resolution sought. Any further details in support of the appeal must be provided within 10 working days of receipt of the outcome of the Grievance Resolution Meeting. The written appeal will be shared with the Grievance Resolution Manager.
20. The appeal will be heard by a more senior manager than the person who considered the initial grievance or a manager of the same grade. Appeals will normally be arranged within 10 working days from receipt of the appeal. The Appeal Officer will be impartial and not previously involved in the case detail and will be supported by an HR representative. The teacher has the right to be accompanied by a fellow worker or a trade union representative. The format of the appeal will be to consider the grounds put forward by the teacher and resolution sought rather than a complete review of all of the evidence gathered at the Stage 2 Grievance Resolution Meeting. The teacher may request that their appeal is a review of the paperwork only, without the attendance of either party at a hearing.
21. At the Stage 3 Appeal Meeting:
- the teacher will outline their appeal detailing why they remain dissatisfied
 - the Appeal Officer may ask questions of them and discuss possible alternative solutions as appropriate
 - the Grievance Resolution Manager will comment on the grounds of appeal and the resolution being sought
 - the Appeal Officer may ask questions of the Grievance Resolution Manager about the steps taken to address the grievance
 - the Appeal Officer may outline their decision at the meeting or may decide to give the matter further consideration in which case the teacher will be notified in writing of the decision within 5 working days of the meeting.

Other matters

Record keeping

22. Written records will be treated as confidential and stored in accordance with the Data Protection Act. A copy of the outcome letter will be placed on the file of the person who raised the grievance whether it is substantiated or not. A copy will only be placed on the file of the person complained about if the concern is substantiated and will remain on file for 12 months.

Overlapping grievances with other formal procedures

23. In circumstances where a concern or complaint raised results in a disciplinary investigation being commissioned, this will be the resolution to the grievance and the teacher may not further the complaint under the grievance procedure, unless there remain issues which were not investigated under the disciplinary procedure.
24. Where a grievance is raised during the course of a disciplinary, sickness, capability or other formal procedure, in some circumstances it may be appropriate to suspend the formal action in order to deal with the grievance. In other circumstances where they are related it may be appropriate to deal with the matters concurrently as one investigation but with clear outcomes under each procedure. The Director of Human Resources will determine the appropriate way forward in these circumstances. Similarly where counter-grievances are raised these will be dealt with together.

Collective grievances

25. Grievances raised by more than one teacher about the same matter either collectively or as separate grievances will usually be dealt as one matter (so for example if the manager decides to undertake a fuller investigation there will only be one investigation) although the outcomes and resolutions may vary for each individual involved in the raising of the grievance/s.

Matters out of scope

26. The grievance procedure does not apply to complaints where there is a separate appeal or review mechanism in place.
27. Where a teacher who raises a grievance does not wish their identity to be revealed or does not want those complained about to be informed, there may be little that can be done to address the complaint and in such circumstance the teacher will be advised accordingly.

28. Issues relating to service delivery or whistleblowing are not matters that will be addressed under this grievance procedure.

Working environment during the course of a grievance

29. Teachers are expected to work together during the course of the investigation. In exceptional circumstances it may be considered appropriate to relocate or re-assign teachers.

List of appendices

- Appendix 1 – Grievance Procedure Process Map
- Appendix 2 – Formal Grievance Resolution Form
- Appendix 3 –Appeal Hearing Format

Links / Other resources

- [Managing People Policy](#)
- [Employee Assistance Programme](#)
- ACAS Code of Practice 1 - Disciplinary and Grievance Procedures
- ACAS Bullying and Harassment Guide for Managers and Employers
- ACAS Bullying and Harassment Guide for Employees

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