

GUIDANCE PACK FOR THE DISCIPLINARY PROCEDURE

This pack contains a suite of model letters and best practice guidance notes for illustrative purposes to support managers through the process.

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GUIDANCE NOTES ON THE SUSPENSION OF AN EMPLOYEE

Purpose and Scope

The Council's Disciplinary Procedure provides for employees to be suspended from duty, on contractual pay. It should be made clear to an employee that their suspension is not a disciplinary penalty.

As a general rule, employees should only be suspended in exceptional cases where there is evidence that there is a real risk the employee will interfere with the investigation or there is a real risk the employee's presence during the investigation will damage the Council's business interests.

Alternatives to suspension should be considered including temporary transfer to other duties/location and adjustment in working hours or working under supervision should be considered.

During normal working hours any suspension should be carried out by an appropriate Manager after obtaining agreement from an appropriate Senior Manager/Officer and consulting with the Services Human Resources Business Partner.

There may be circumstances e.g. shift working/out of hours where a Senior Manager is not available on site. Managers should be provided with a named Senior Officer contact to enable a decision to be made regarding any suspensions. In circumstances where it is not possible to discuss the situation with a Senior Manager before a decision to suspend is taken an employee may be deployed to an alternative location as an immediate alternative or sent home on paid leave pending a decision.

In the case of Schools, Headteachers may wish to seek advice from their Human Resources Provider prior to the suspension of an employee. Additionally, where an allegation of potential misconduct is made against a Headteacher the Chair of Governors should be consulted regarding the suspension.

Representation

Where possible, arrangements should be made for the employee to be represented at the initial meeting. The employee should be given a reasonable period of time to obtain such representation. However, this should not cause undue delay to the proceedings.

Where the allegation relates to a recognised Trade Union representative, the individual should not be suspended until a full-time official of the Union has been consulted. In the case of a Shop Steward a Convenor should be consulted and for a Convenor the matter should be discussed with a Regional Officer.

Managers undertaking a disciplinary investigation have the right to seek assistance from a more Senior Manager and advice from Human Resources as necessary.

The Initial Meeting

It is recommended at the meeting the Manager/Headteacher should:

- Explain the nature of the concern/allegations and give the employee the opportunity to respond to the concern;
- Give consideration to any response from the employee which may mean that suspension is not appropriate;
- Consider whether measures could be put in place which would mitigate the need to suspend the employee
- Consider fully the rationale to suspend the employee if it is deemed necessary

It is also recommended that the Manager/Headteacher covers the following points at the initial meeting if suspending the employee:

- Inform the employee of the suspension and the full rationale why it is deemed necessary;
- Advise the employee that a full investigation will take place and identify who the Investigator will be where possible;
- During the suspension the employee will receive contractual pay;
- If at any time during the investigation the Investigator considers the complaint to be unsubstantiated, the suspension will be revoked and they will be asked to resume duties;
- Whilst on suspension, the employee must make themselves available for any Management Investigation Meetings;
- The employee should not enter into discussions with colleagues or other people involved in the investigation as this may prejudice the investigation;
- The employee is entitled to request a statement from any colleague or other witness of the alleged misconduct and arrange for their attendance at any disciplinary meeting however; the colleagues and witnesses are not obliged to comply with such requests. Employees should advise the Investigator if they intend to make such a request;
- During the suspension, the employee must not enter his/her normal place of work or other associated work sites. Where an employee lives on site, then access to the residential quarters is permitted however, the employee must not enter into or venture onto the remainder of the property;
- The employee should hand over any Council property, e.g. keys, mobile phone, computer equipment, etc and the Manager may need to suspend access to computer systems that can be accessed remotely e.g. homeworking accounts etc;
- The suspension will be confirmed in writing within 5 working days including details of the reason for the suspension.
- The suspension will initially be reviewed in 14 days and thereafter at monthly intervals;
- The employee may wish to contact his/her Trade Union or Professional Association representative;
- The employee should be advised that confidential and impartial support is available from the Occupational Health Provider;
- If the employee falls ill during the suspension period, the absence notification procedure should be followed and medical certificates should be submitted in the normal manner.
- If the employee wishes to take annual leave during the period of suspension, approval should be obtained from their Manager in the normal manner.

If suspension is deemed necessary, an employee should be provided with a suspension letter (templates below) confirming the suspension.

The letter should include:

- The decision to suspended together with the Manager's rationale and how long the suspension is expected to last
- Their rights and obligations during the suspension. For example, that they should be contactable during normal working hours
- A point of contact (such as a manager or HR) and their contact details for the employee during their suspension

Following the initial Meeting

An appropriate Investigator should be appointed to carry out the investigations. They should:

- Advise witnesses/relevant parties to write down their recollection of events;
- Remove and secure any items that are required as evidence for safekeeping;
- Make notes of the issue and of any advice/conversation that took place; ensure that the relevant Head of Service/Service Director and Human Resources are informed of the allegation and the suspension at the earliest opportunity.

SUSPENSION LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

SUSPENSION FROM DUTY

With reference to the meeting with *(Name, job, title)* and *(Name, job, title)* on *(date)*, I wish to confirm your suspension from duty with effect from *(date)*. During your suspension from work you will continue to receive contractual pay.

The suspension is in accordance with the Council's/School's Disciplinary Procedure. It is deemed necessary to suspend you because [manager's reasons due to the particular facts] which represents [a real risk that you will interfere with the investigation or a real risk that your presence during the investigation will damage the Council's business interests]. The management investigation concerns allegations relating to:

- *(Insert full details of specific allegation/s. This may include dates, times etc).*

If upheld, these allegations would constitute gross misconduct and could therefore lead to dismissal. *(use in potential gross misconduct cases only)*

Enclosed is a copy of the Disciplinary Procedure for your information.

The suspension will be reviewed in 14 days and then at regular intervals. During the suspension it may be necessary for you to attend an investigatory interview and/or a disciplinary meeting at which you are entitled to be accompanied by your Trade Union/Professional Association Representative/ Work Colleague.

Alternatively, if it is decided that no further action is necessary you will be informed of this and arrangements will be made for your return to work.

I wish to confirm that you are not to enter your place of work *(state other premises also if relevant)* without prior agreement with the Investigator. You should not enter into discussions with colleagues or other people involved in the investigation as this may prejudice the investigation. However, you are entitled to request a statement of facts in respect of the allegation from any witnesses and you should inform the Investigator prior to commencement of this. It should be noted that colleagues are not obliged to comply with your request.

You may also wish to seek confidential help and advice from the Occupational Health Unit who can be contacted on 01226 772292 (for schools using external HR providers please insert relevant telephone number of external OHU).

If you fall ill whilst on suspension, normal sickness reporting procedures will apply. You must notify your line manager or appropriate supervisor on the first day of your illness. You will then be deemed to be on sick leave pending your return to fitness.

The Investigator will refer you to the Council's Occupational Health Service for the Doctor to ascertain your fitness to participate in both the investigation process and if appropriate a disciplinary meeting,

If you are deemed unfit to participate in the disciplinary process for a prolonged period or if you fail to attend Occupational Health and the Doctor is unable to confirm your fitness to participate in the process, a disciplinary meeting may go ahead in your absence as the Council is unable to wait indefinitely. You will be given the opportunity to present written submissions to the Panel.

During your suspension if you wish to take annual leave, approval must be obtained from (line manager) in the normal manner.

If you have any queries relating to this matter, please contact (*insert name, job title*) on (*insert telephone number*)

Yours sincerely

Encs

SUSPENSION REVIEW LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

SUSPENSION REVIEW

I refer to my recent letter, confirming your suspension from duty on *(insert date)* under the Council's/School's Disciplinary Procedure.

I am writing to inform you that your suspension has been reviewed and will remain in place. A further review will be undertaken one month from the date of this letter or sooner dependent upon the progress of the investigation. Your ongoing suspension is due to the belief that there is [a real risk that you will interfere with the investigation *or* a real risk that your presence during the investigation will damage the Council's business interests]. The extension to the suspension is necessary due to *(give explanation i.e. the investigation not being concluded)*.

May I remind you that whilst on suspension, you must not attempt to enter *(insert location)* without the specific authority of *(insert name, title)* and that you should not hold discussions with colleagues or other people connected with the allegation. However, this does not preclude you from requesting a statement of fact from any witnesses to the alleged misconduct *and you should inform (name of Investigator) prior to commencement of this.*

Yours sincerely

REVOKE SUSPENSION LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

SUSPENSION FROM DUTY

With reference to your suspension from work following allegations of *(insert allegations)*. A Management Investigation has been conducted into this matter and it has been determined that *(insert details)*.

(Insert one of the following paragraphs)

Either:

Consequently, it has been concluded that there is no case to answer and no formal action will be taken against you. Accordingly, your suspension from work will be revoked with immediate effect.

You should report for work on *(insert date & time)*. *(Insert name)* will meet with you to facilitate your reintegration in to the workplace.

Or

Consequently, it has been concluded that suspension is no longer deemed necessary and will be revoked with immediate effect. However, the allegations still constitute misconduct and require investigation which may lead to disciplinary action.

You should report for work on *(insert date & time)*. *(Insert name)* will meet with you to facilitate your reintegration in to the workplace.

Or

Consequently, it has been concluded that suspension is no longer deemed necessary and will be revoked with immediate effect. However, misconduct has occurred but the matter will be dealt with informally under the Council's Disciplinary Procedure.

You should report for work on *(insert date & time)*. *(Insert name)* will meet with you to facilitate your reintegration in to the workplace.

Yours sincerely

INVITE TO MANAGEMENT INVESTIGATION LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

MANAGEMENT INVESTIGATION

Further to your suspension from work with effect from *(inset date)*/Further to the alleged *(detail incident)* on *(date)*, I wish to confirm the arrangements for a management investigation meeting. The meeting will take place on *(insert date)* at *(insert time)*. The meeting will be held at *(insert location)*. Please report to reception on your arrival and ask for *(insert name)*.

The investigation will be conducted by *(insert name, title)* and *(insert name, title, if applicable)*.

In accordance with the Council's/School's Disciplinary Procedure you are entitled to have your Trade Union Representative, Professional Association Representative or fellow employee of your choice present in an advisory and supportive capacity. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. If you wish your representative to attend it is your responsibility to make the necessary arrangements.

A copy of this letter is attached for you to forward to your representative.

If you have any queries regarding this matter please contact *(insert name)* on the above number.

Yours sincerely

Encs

INVITE TO MANAGEMENT INVESTIGATION FOR WITNESSES

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

MANAGEMENT INVESTIGATION

I am writing to confirm that a management investigation is currently taking place in accordance with the Council's/Schools Disciplinary Procedure. I have been given your name as an independent witness who may be able to assist with the investigation into *(insert brief details)*.

You are requested to attend a Management Investigation Meeting. The meeting will take place on *(insert date)* at *(insert time)*. The meeting will be held at *(insert location)*. Please report to reception on your arrival and ask for *(insert name)*.

The investigation will be conducted by *(insert name, title)* and *(insert name, title, if applicable)*.

In accordance with the Council's/Schools Disciplinary Procedure you are entitled to have your Trade Union Representative, Professional Association Representative or fellow employee of your choice present in an advisory and supportive capacity. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. If you wish your representative to attend it is your responsibility to make the necessary arrangements.

A copy of this letter is attached for you to forward to your representative.

In order to maintain confidentiality in respect of the allegation(s), I wish to advise you that you should not enter into discussions with anyone other than the Investigator(s). However, the employee(s) for whom the allegation(s) is made or their representative may request that you provide them with a statement of events and/or attendance at any potential disciplinary meeting. Such requests are permissible.

You may also wish to seek confidential help and advice from the Occupational Health Unit who can be contacted on 01226 772292. *(Schools using an external HR provider please insert the relevant telephone number for the external OHU)*.

If you have any queries regarding this matter please contact *(insert name)* on the above number.

Yours sincerely

Encs

INVITE TO A DISCIPLINARY MEETING LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISCIPLINARY MEETING

I write to inform you that you are required to attend a disciplinary meeting at (location) on (date) at (time). At the meeting the specific allegations, outlined below, will be presented and you will be given an opportunity to respond to them:

- (details of allegation/s)

(If these allegations are on balance proven they may be deemed gross misconduct and therefore lead to your dismissal –add this paragraph if this a potential gross misconduct case)

(If you are currently subject to a written/final written warning the Panel will be made aware of this during the meeting - add this paragraph if there is a written/final written warning in place)

(If these allegations are on balance proven they may be deemed misconduct and therefore lead to your dismissal –add this paragraph if there is a final written warning in place).

The Disciplinary Panel hearing the case will be (name and designation) advised by a Human Resources Advisor (only for potential dismissal cases). (For Schools – attendance will be in accordance with your SLA). The management case will be presented by (name and designation). The meeting will be conducted in accordance with the Council's/School's Disciplinary Procedure (a copy of which is enclosed for your information).

You have the right to be accompanied at the meeting by a Trade Union Representative, Professional Association Representative or a work colleague. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. It is your responsibility to make your own arrangements for their attendance.

Please find enclosed copies of documents which will be presented by management at the meeting including a brief overview of the case. You also have the right to submit documentary evidence and to call witnesses. If you intend to produce your own documents you should submit them along with a brief overview of your case to me at least five working days prior to the date of this meeting. Failure to do so may result in the meeting being delayed. Additionally if you intend to call witnesses you should submit details of who these are and make arrangements for them to attend.

Either:

Management will be calling the following witnesses to give evidence at the Meeting:

Or:

It is not management's intention to call witnesses on this occasion.

You must make yourself available for this disciplinary meeting. If you fail to attend without reasonable cause, then the meeting may go ahead in your absence.

Yours sincerely

Encs

WRITTEN/FINAL WRITTEN WARNING LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISCIPLINARY PROCEDURE – WRITTEN/FINAL WRITTEN WARNING

I am writing to confirm the outcome of the Disciplinary Meeting held on *(date)*. The meeting was conducted by *(insert name and title including details of advisor if appropriate)*. *(Name)* presented the management case *(assisted by if appropriate)*. *(Name)* represented you at the meeting.

The purpose of the meeting was to consider the allegation(s) that:
(insert details)

(Name) presented the management case and provided evidence in relation to the allegation.
(Summarise management's case)

In response you/your representative stated *(summarise case)*.

The panel considered all of the evidence presented by both parties and determined that your action(s) did constitute misconduct/gross misconduct. The reasons for the panel's decision are as follows:
(summarise main points)

As a consequence of such action I now confirm the decision to issue you with a written/final written warning.

This penalty will remain effective for a period of *(insert time period)* months from *(dates)*. Periods of sickness absence of two consecutive weeks or more will not count as time spent towards your sanction. Consequently the expiry of the penalty will be adjusted accordingly.

(Where appropriate give details of improvements of behaviour expected and support that will be put in place).

I must point out that any further misconduct may lead to further disciplinary action under the Council's/School's Disciplinary Procedure which could ultimately lead to your dismissal.

You have a right of appeal against this decision. If you wish to appeal you should do so in writing to *(name, title)*, within 10 working days of receiving this written warning.

Yours sincerely

MODIFICATION OF DUTIES LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISCIPLINARY PROCEDURE – MODIFICATION OF DUTIES - DOWNGRADE OF POST/TRANSFER TO ANOTHER SECTION

I am writing to confirm the outcome of the Disciplinary Meeting held on *(date)*. The meeting was conducted by *(insert name and title including details of advisor if appropriate)*. *(Name)* presented the management case *(assisted by if appropriate)*. *(Name)* represented you at the meeting.

The purpose of the meeting was to consider the allegation(s) that:
(insert details)

(Name) presented the management case and provided evidence in relation to the allegation.
(Summarise management's case)

In response you/your representative stated *(summarise case)*.

The panel considered all of the evidence presented by both parties and determined that your action(s) did constitute [misconduct/gross misconduct] and that dismissal would be appropriate in the circumstances. The reasons for the panel's decision are as follows:
(summarise main points)

However, the Panel recognised the evidence you presented and the mitigating factors put forward and believe in the circumstances that a downgrade OR transfer to another section is an appropriate alternative to your dismissal. You will be downgraded on a permanent basis and/or transferred to another section. If the position your are transferred to is at a lower grade you will not receive pay protection.

In addition to this you will also receive a final written warning which will remain effective for a period of *(insert time period)* months from *(dates)*. Periods of sickness absence of two consecutive weeks or more will not count as time spent towards your sanction. Consequently the expiry of the penalty will be adjusted accordingly.

(Where appropriate give details of improvements of behaviour expected and support that will be put in place).

I must point out that any further misconduct may lead to further disciplinary action under the Council's/School's Disciplinary Procedure which could ultimately lead to your dismissal.

You have a right of appeal against this decision. If you wish to appeal you should do so in writing to *(name, title)*, within 10 working days of receiving this written warning.

Yours sincerely

DISMISSAL FOR CUMULATIVE MISCONDUCT LETTER

(reference)
(contact name)
(contact telephone number)
(date)
(address)

Dear

DISMISSAL FOR CUMULATIVE MISCONDUCT

I am writing to confirm the outcome of the Disciplinary meeting held on *(date)*. The meeting was conducted by *(insert name and title including details of advisor if appropriate)*. *(Name)* presented the management case *(assisted by if appropriate)*. *(Name)* represented you at the meeting.

The purpose of the meeting was to consider the allegation(s) that:
(insert details)

(Name) presented the management case and provided evidence in relation to the allegation.
(Summarise management's case).

In response you/your representative stated *(summarise case)*.

The panel considered all of the evidence presented by both parties and determined that your action(s) did constitute misconduct. The reasons for the panel's decision are as follows:
(summarise main points)

At the time of your hearing you were subject to *(enter details of previous warnings still in effect)*, The Panel considered the appropriate penalties and determined in the circumstances that dismissal was appropriate. I now confirm the decision to dismiss you on the grounds of cumulative misconduct.

You are entitled to *(number)* weeks notice and you will receive a payment in lieu of this notice. Your employment will therefore be terminated on *(date of disciplinary meeting)*..

You have the right of appeal against this decision. If you wish to appeal you should do so in writing to *(Name)*, within 10 working days of receiving this letter.

Upon termination of your employment if you are a member of South Yorkshire Pensions Authority, your accrued pension benefits become 'preserved', that is they will not be released until you reach the scheme retirement age. Details of the amount of your preserved benefits and the date they will be brought into payment will be sent to you by South Yorkshire Pensions Authority as soon as possible.

Yours sincerely

DISMISSAL FOR GROSS MISCONDUCT LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISMISSAL FOR GROSS MISCONDUCT

I am writing to confirm the outcome of the disciplinary meeting held on *(date)*. The meeting was conducted by *(insert name and title including details of advisor)*. *(Name)* presented the management case *(assisted by if appropriate)*. *(Name)* represented you at the meeting.

The purpose of the meeting was to consider the allegation(s) that:
(insert details)

(Name) presented the management case and provided evidence in relation to the allegation.
(summarise management's case)

In response you/your representative stated *(summarise case)*.

The panel considered all of the evidence presented by both parties and determined that your action(s) constitute gross misconduct. The reasons for the panel's decision are as follows:
(summarise main points)

Having found your actions constituted gross misconduct the Panel considered the available penalties and determined that summary dismissal was the appropriate. I now confirm the decision to summarily dismiss you from your employment. This dismissal is without notice and effective immediately, your last day of employment with the Council being *(date of meeting)*.

You have the right of appeal against this decision. If you wish to appeal you should do so in writing to *(name)* within 10 working days of receiving this letter indicating the grounds for your appeal and, where appropriate, the name of your representative.

Upon termination of your employment if you are a member of South Yorkshire Pensions Authority, your accrued pension benefits become 'preserved', that is they will not be released until you reach the scheme retirement age. Details of the amount of your preserved benefits and the date they will be brought into payment will be sent to you by South Yorkshire Pensions Authority as soon as possible.

Yours sincere

DISCIPLINARY SANCTION MEETING OUTCOME LETTER

PRIVATE AND CONFIDENTIAL

Address

Date

Dear

DISCIPLINARY PROCEDURE – WRITTEN WARNING

I am writing to confirm the outcome of the Disciplinary Sanction Meeting held on (date). The meeting was conducted by *(insert name and title including details of advisor if appropriate)* (*name*) presented the management case. You were represented by (*name*) / You chose not to be represented at the meeting and were happy to proceed with the meeting (delete as appropriate).

The purpose of the meeting was to consider the allegation that:

-

(*name*) presented the management case and provided evidence in relation to the allegation.

In response, you agreed with the evidence and stated that

I considered all of the evidence presented by both parties and determined that your actions did constitute misconduct as you had

As a consequence of such action I now confirm the decision to issue you with a written warning.

This penalty will remain effective for a period of 6 / 12 (*Delete as appropriate*) months from (*date of meeting*). Periods of sickness absence of two consecutive weeks or more will not count as time spent towards your sanction. Consequently the expiry of the penalty will be adjusted accordingly.

I must point out that any further misconduct may lead to further disciplinary action under the Council's Disciplinary Procedure which could ultimately lead to your dismissal.

In accordance with the policy you do not have a right of appeal against this decision.

Yours sincerely

INVITE TO AN APPEAL MEETING LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISCIPLINARY APPEAL MEETING

With reference to your appeal against the (*insert details of penalty as a result of x misconduct*). I write to inform you that a disciplinary appeal meeting has been arranged and will take place at (location) on (date) at (time). At the meeting you will be given an opportunity to present your case and for Management to respond.

The Disciplinary Panel hearing the case will be (name and designation) advised by (insert name and title of Human Resources Advisor - only applicable where the appeal does not relate to a dismissal). (For Schools – attendance will be in accordance with your SLA). The management case will be presented by (name and designation). The meeting will be conducted in accordance with the Council's/School's Disciplinary Appeal Procedure (a copy of which is enclosed for your information).

You have the right to be accompanied at the appeal meeting by a Trade Union Representative, Professional Association Representative or a work colleague. However, this right does not extend to family/friends and professional persons such as solicitors and barristers. It is your responsibility to make your own arrangements for their attendance.

Please find enclosed copies of documents which will be presented by management at the meeting including a brief overview of the case. You also have the right to submit documentary evidence. If you intend to produce your own documents you should submit them along with a brief overview of your case to me at least 5 working days prior to the date of this meeting. Failure to do so may result in the meeting being delayed.

You must make yourself available for this disciplinary appeal meeting. If you fail to attend without reasonable cause, then the appeal meeting will go ahead in your absence.

Yours sincerely

Encs

DISCIPLINARY APPEAL OUTCOME LETTER

(reference)
(contact name)
(contact telephone number)
(date)

(address)

Dear

DISCIPLINARY APPEAL OUTCOME

(I am writing to confirm the outcome of the Disciplinary Appeal Meeting held on *(date)*. The Appeal Meeting was conducted by *(insert name and title including details of advisor if appropriate)*. *(Name)* presented the management case *(assisted by if appropriate)*. *(Name)* represented you at the meeting.

The purpose of the meeting was to consider the allegation(s) that:
(insert details)

(Name) presented the management case and provided evidence in relation to the allegation.
(Summarise management's case)

In response you/your representative stated *(summarise case)*.

The panel considered all of the evidence presented by both parties and determined that *(insert details)*. The reasons for the panel's decision are as follows:
(summarise main points)

(If penalty is upheld insert the following paragraphs) As a consequence of such action I now confirm the decision be upheld. *(insert appropriate penalty)* will remain effective for a period of *(insert time period)* months from *(dates)*. Please note periods of sickness absence of two consecutive weeks or more will not count as time spent towards your penalty. Consequently the expiry of the sanction will be adjusted accordingly.

(Where appropriate give details of improvements of behaviour expected and support that will be put in place).

I must point out that any further misconduct may lead to further disciplinary action under the Council's/School's Disciplinary Procedure which could ultimately lead to your dismissal.

(In the case of appeals against a dismissal insert the following paragraph)
As a consequence of such action the decision to terminate your employment on the grounds ofhas been upheld.

You have no further right of appeal.

Yours sincerely