



## Addendum to the Disciplinary Policy - Legal Representative on Panels

Effective 1<sup>st</sup> January 2018, following a decision made at Corporate Board Dudley MBC legal services are withdrawing from any panels, where dismissal is a potential outcome. This decision has been made across all services, Council and Schools.

For Community and Voluntary Controlled schools, the Director of Children's Services (DCS) has a statutory right, to attend or send a representative to any dismissal meetings. This role has always been undertaken by legal, going forward this role will be picked up by the HR representative on the panel. Legal will continue to support any appeals hearings.

For Voluntary Aided, Foundation and Academy Schools the option has always been available to include HR and legal on any panels, going forward HR will continue to be available to support any dismissals and schools can determine if they require support from any other appropriate professional employment advisors.

This impacts on a number of YourHR model policies and this addendum clarifies the position in terms of the [Disciplinary Policy](#).

This addendum has been formulated in consultation with Professional Associations NEU-NUT, NASUWT, NEU-ATL, ASCL, NAHT, UNISON and GMB.

Can this addendum please be attached to the [Disciplinary Policy](#).

### **Section 11.1 Inviting an Employee to a Disciplinary Hearing**

#### **Current Policy**

**For Community and Voluntary Controlled Schools**, the panel must be supported by;

- Dudley MBC Legal Services representative;
- Dudley MBC HR representative.

**For Voluntary Aided and Foundation Schools** it is strongly recommended to seek support at the hearing.

In this school support will be sought from Dudley MBC to provide a legal and HR representative;

Or

In this school support will be sought from Dudley MBC to provide a HR representative only (no legal representative);

Or

In this school support will not be sought from Dudley MBC to provide a legal and HR representative.

**For Community and Voluntary Controlled Schools**, the panel must be supported by a Dudley MBC HR representative;

### **Section 13.4, Re-Hearing**

#### **Current Policy**

When a request for a re-hearing is received, the Chair of the Staff Dismissal (Appeals) Committee should take advice from HR and Legal.

#### **Amendment effective 1<sup>st</sup> January 2018**

When a request for a re-hearing is received, the Chair of the Staff Dismissal (Appeals) Committee should take advice from HR and any other appropriate professional employment advisors.