



STAFF DISCIPLINARY POLICY

*This policy was adopted by the
Governing Body:
Spring 2016
Next Review: Spring 2019*

SECTION 1: Introduction

- 1.1 In accordance with provision of the Schools Standards and Framework Act 1998 governing bodies are responsible for dealing with staff disciplinary matters in all maintained schools.
- 1.2 A school Governing Body is required by legislation to adopt rules and procedures to regulate the conduct and discipline of all staff it employs or has day to day responsibilities for.
- 1.3 This disciplinary policy which has been agreed with the relevant union representatives applies to disciplinary proceedings involving a Headteacher, teachers and school support staff other than staff involved in the provision of school meals and cleaning staff.
- 1.4 In dealing with disciplinary cases governing bodies will act expeditiously to avoid delay and have due regard to deadlines set out in these procedures. Members of staff subject to disciplinary procedures will be kept informed of progress. At the same time the need for expeditious action will be balanced by the need for the Governing Body to act fairly. It may not be possible always to meet timescales set out in this document for example because key parties are not available.
- 1.5 Disciplinary procedures are separate and distinct from grievance and capability procedures. Grievance procedures enable an employee to pursue matters such as unfair treatment or unsatisfactory working with their line manager or the Headteacher and, as necessary, the Governing Body.

SECTION 2: Staff Disciplinary and Disciplinary Appeals Committee

- 2.1 In accordance with The Education (School Government) (Wales) Regulations 1999, as amended by the Education (School Government) (Wales) (Amendment) Regulations 2001 the Governing Body has established two statutory committees - the Staff Dismissal Committee and the Dismissal Appeal Committee and set out rules about the establishment, composition and proceedings of these Committees, referred to in this document as the Staff Disciplinary Committee and the Disciplinary Appeals Committee.
- 2.2 In accordance with Regulation 47 the Governing Body has delegated responsibility for considering cases which could result in dismissal to the Staff Disciplinary Committee responsibility for considering appeals against decisions of the Staff Disciplinary Committee and the responsibility for considering appeals against decisions of the Staff Disciplinary Committee to the Disciplinary Appeal Committee. Each committee is made up of three governors, each committee will appoint a clerk in accordance with regulation 51. The Clerk to the Governors will record proceedings and will offer procedural advice The Chair of Governors will not sit on either committee in order that he/she is able to advise the Headteacher in cases involving other staff and is able to act in cases involving the Headteacher. The Headteacher will not be a member of either committee but may attend to give evidence.

- 2.3 The Governing Body will review membership of the committee annually at the first Governing Body meeting of the school year and membership will be checked at the start of each case so that any governor who is either involved in the allegations under consideration or has a close relationship with any of the parties involved is replaced for consideration of the case.
- 2.4 If there is any reasonable doubt about the ability of a member of the Governing Body to act impartially such a member will not be members of the Staff Disciplinary Appeal Committees e.g.
- a governor who is related to the member of staff against whom the allegation of misconduct has been made.
 - a governor who has a close personal relationship with parties involved in a disciplinary case; or
 - a parent governor who has instigated a complaint or is associated with a complaint which relates to his/her child.
- 2.5 If the member of staff facing disciplinary action contests the ability of an individual member of either committee to hear his or her case impartially the Governing Body will consider the representation and will replace the governor unless there are other overriding considerations.
- 2.6 Neither the Governing Body nor individual governors will discuss a disciplinary case outside the proceedings of the Staff Disciplinary and Disciplinary Appeal Committees.
- 2.7 The Governing Body has delegated the responsibility in cases where the behaviour involved would constitute lesser misconduct (see section 3 of this policy) to the Headteacher.

SECTION 3: Lesser Misconduct

- 3.1 Such breaches of discipline will not result in dismissal for a first offence, but may result in dismissal if repeated. Examples of lesser misconduct may include:
- poor timekeeping or unauthorised absence e.g. failure to comply with sickness report or absence from the workplace during school sessions without permission;
 - refusal to carry out a reasonable instruction;
 - negligence or abuse causing minor injury or damage to property;
 - neglect or unsatisfactory standards in performing of duties subject to any issues referred under the capability procedure;

- offensive behaviour, insubordination or using abusive language;
- disclosure of confidential information;
- harassment or discrimination on any grounds;
- victimisation of colleagues, parents or pupils;
- petty theft; e.g. making unauthorised private telephone calls or sending personal mail at the school's expense.

3.2 The Governing Body has delegated to members of the school management team the handling of allegations against staff where the behaviour complained of constitutes lesser misconduct and where the outcome following investigation could be the issue of a warning - oral or written.

3.3 Informal Procedures

Allegations of lesser misconduct will usually be dealt with informally whereby a member of the senior management team will discuss the problem with the member of staff so as to encourage and help him/her to improve. These discussions will ensure that the member of staff understands what he or she needs to do in relation to their conduct in question; how performance or conduct will be monitored and reviewed and over what period and that formal action might be taken if there is a recurrence of the conduct in question.

3.4 Formal Procedures

Where the Headteacher or senior manager considers that the behaviour of the member of staff justifies more formal action, or the member of staff has failed to respond to informal warnings, or an investigation has concluded that an allegation should be considered as lesser misconduct a disciplinary interview with the appropriate member of the management team (Mrs N W Roberts) will be held. The member of staff will be informed in writing of the following information at least 5 days in advance of the interview:

- the date, time and purpose of the interview;
- the nature of the allegations together with any supporting documents;
- the names of any witnesses to be called;
- the right to be accompanied by a friend, or representative of the member of staff's trade union; and

- the possible outcome of the interview.
- 3.5 At the disciplinary interview, the member of staff will have the opportunity to answer allegations made, question any witnesses and state his/her case before any decision is reached. A contemporaneous full written record of the disciplinary interview and the decision reached will be made.
- 3.6 Allegations of lesser misconduct can normally be dealt with by means of a formal verbal warning, issued to the member of staff at the disciplinary interview. A report of the warning will be placed on the member of staff's personal file and he/she given a copy. A copy will also be provided to the Chief Education Officer where the member of staff is employed by the LEA. The member of staff's acknowledgement of the verbal warning and any observations on it will also form part of the record.
- 3.7 In the event of a further allegation or an allegation of a more serious nature, consideration may need to be given to a formal written warning or a final written warning. Such warnings are given in the form of a letter to the member of staff with a copy placed on the member of staff's personal file. A copy of the letter will also be provided to the Chief Education Officer if the member of staff is employed by the LEA. The member of staff's acknowledgement of the warning, together with any observations on it, will also form part of the record.
- 3.8 A warning is described as a final warning when it is made clear to the member of staff that failure to address the behaviour in question will lead to consideration of the matter under the Governing Body's procedure for gross misconduct.
- 3.9 Where a formal warning is given the member of staff will be informed of:
- the action needed on his/her part to avoid any further disciplinary sanction;
 - the consequences of any failure to take necessary action;
 - their right of appeal against warning.
- 3.10 Warnings will be expunged from the staff member's file after the following specified period.
- Formal oral warning - two full terms after the end of the term in which the warning is issued;

- Written warning - three full terms after the end of the term in which the warning is issued;
- Final written warning - six full terms after the end of the term in which the warning is issued.

Expunged warnings will be disregarded in any future disciplinary proceedings.

Appeals Against Formal Warnings

- 3.11 The member of staff may appeal against a formal warning. The Staff Disciplinary Committee would hear any appeal. The member of staff should notify the clerk to the Staff Disciplinary Committee of the intention to appeal 5 school days from the receipt of the formal warning. The reasons for the appeal does not have to be given at this stage.
- 3.12 The staff disciplinary committee will hear the appeal within 10 school days of it being lodged. The member of staff will be informed in writing of the date, time and purpose of the appeal hearing at least 5 school days in advance.
- 3.13 The procedure to be followed will be the same as that set out in paragraphs 4.30 - 4.33 in relation to cases considered by the Disciplinary Appeal Committee. The committee cannot impose a more severe penalty than that imposed by the Headteacher or senior manager.

Consideration under procedures for gross misconduct

- 3.14 If at the end of the disciplinary interview the Headteacher or other senior manager, concludes that more serious disciplinary action may be justified he/she will inform the member of staff at the end of the interview and confirm in writing that the matter is being referred to the Governing Body for their consideration. At this point the school's procedures for consideration of matters of gross misconduct take over (see section 4).

Allegations of Lesser Misconduct against the Headteacher

- 3.15 If an allegation of misconduct amounting to lesser misconduct is made against the Headteacher, the matter will be brought to the attention of the Chair of governors. He/she will act in accordance with the arrangements set out above. The Chair of governors could arrange for any investigation to be carried out externally i.e. by the LEA, diocesan authority or an independent.

SECTION 4: Gross Misconduct

- 4.1 Gross misconduct is defined as an act or omission which, if proven, could lead to dismissal. Examples of acts of gross misconduct are:
- conduct which is incompatible with the precepts of the school;
 - theft of property belonging to the LEA, the school, fellow members of staff or pupils;
 - malicious damage to property belonging to the LEA, the school, fellow members of staff or pupils;
 - violent behaviour including physical assault;
 - physical, sexual or emotional abuse of pupils;
 - sexual misconduct at work;
 - fraud;
 - dishonesty i.e. tampering with examination papers or revealing examination papers prior to examinations or altering examination results;
 - serious violation of the LEA's or the school's health and safety rules and standards;
 - criminal misconduct outside the workplace which reflects adversely upon the school or the member of staff's suitability to continue to be employed at the school;
 - knowingly providing false information on any matter relating to the member of staff's employment;
 - persistent, serious or flagrant discrimination or harassment on the grounds of race, gender, religion, colour, disability, sexual orientation etc.
- 4.2 Any cases that relate to gross misconduct will be considered by the Governing Body.
- 4.3 The Headteacher will determine whether the allegation is of sufficient seriousness to warrant consideration by the Governing Body. If the allegation is against the Headteacher, the Chair of the Governing Body will determine if the matter is to be considered by the Governing Body.

4.4 In cases of allegations of gross misconduct relating to a criminal offence or where the allegation relates to child abuse, the allegations will not be investigated by the Headteacher (Chair of Governing Body if the allegation is against the Headteacher). The Headteacher/Chair of Governing Body will merely make an initial assessment to establish:

- that an allegation has been made;
- the general nature of the allegation;
- when and where the incident is alleged to have occurred;
- who was involved;
- any other persons present.

Allegations Relating to Child Abuse

4.5 If the allegation concerns child abuse, the Headteacher will consult the LEA officer designated to lead on child protection as a matter of urgency. In the case of allegations against the Headteacher, the Chair of Governing Body will consult the designated LEA officer. If the LEA officer is not available, or the LEA officer and Headteacher decide they need advice, they will approach the designated manager for child protection in the Authority's Social Services Department. Seeking such advice does not, in itself, constitute a referral but may assist the LEA and the school in assessing the situation and deciding what action should be taken.

4.6 If the allegation relates to potential criminal act or indicates that a child has suffered or is likely to suffer significant harm, the matter will immediately be referred by the LEA and the school in accordance with the local child protection procedures.

Allegations Relating to Potential Criminal Act other than Child Abuse

4.7 Allegations against staff of criminal behaviour relating to fraud, theft, criminal damage and the like will be referred to the Police by the Headteacher or Chair of Governing Body (in the case of allegations against the Headteacher). The LEA will be advised of the referral.

4.8 Investigations by Police or Social Services will take priority over the school's disciplinary proceedings. Disciplinary proceedings will normally await the outcome of investigations by the statutory authorities before proceeding, but the Governing Body will:

- confirm membership of the Discipline Committee to consider the case;
- assign a Governor who is not a member of the committee (in the case of allegations of child abuse, the Governor nominated to lead on child protection) to be the link Governor to maintain contact with the statutory authorities on the progress of their investigation and advise the Staff Disciplinary Committee.

- 4.9 Unless the investigation leads to a criminal conviction and dismissal of the staff member, the Staff Disciplinary Committee will consider the case.

Procedure for Considering Allegations of Gross Misconduct

- 4.10 Normally, the person against whom the allegation is being made will be fully informed of the allegations and invited to respond unless disclosure of detailed information at this stage might hamper the investigation and/or put vulnerable witnesses at risk of intimidation. In such situations, the member of staff will be given an inclination of the nature of the allegation and he/she has the right to respond or to decline to respond.
- 4.11 Consideration under the Governing Body disciplinary proceedings will begin within 10 working days of the notification to the link Governor that there is to be no criminal prosecution or the ending of court proceedings.
- 4.12 The Staff Disciplinary Committee will initially decide if the allegation is of sufficient seriousness to warrant investigation. An emergency meeting of the Staff Disciplinary Committee will be held within 5 school days of the matter being referred to the Committee to decide whether an investigation into the matter is required or not. Relevant paperwork should be distributed to members of the committee at least three school days before the meeting.
- 4.13 The Staff Disciplinary Committee will decide whether the investigation should be carried out internally or by an outside party.
- 4.14 A full investigation will be completed within 15 school days of a decision being made to carry one out, and before any disciplinary measures are considered. Members of the staff disciplinary or disciplinary appeal committees will not be involved in carrying out the investigation.
- 4.15 If the investigation is to be undertaken internally it will be undertaken either by the Headteacher, a senior manager or a Governor who is not a member of either the Staff Disciplinary or Disciplinary Appeal Committees.
- 4.16 If the investigation is to be external, the LEA (or diocese) may be in a position to carry it out or to advise on a suitable independent person. If the LEA carries out the investigation, the investigator will be a different person and act independently from any LEA official who is acting as the advisor to the Governing Body to avoid any conflict of interest. It could be that an officer from another part of the local authority would carry out the investigation. This will always be the case if the LEA itself has brought the allegation to be investigated to the attention of the Headteacher of Governing Body.

- 4.17 The investigator will carry out a full investigation into the allegations, interview relevant people and provide a full report including copies of all relevant documents and notes of interview to the Chair of the Staff Disciplinary Committee.
- 4.18 All those interviewed will be informed of their rights including the right to be accompanied by a trade union representative, a friend, or a colleague at all meetings held in connection with the disciplinary matter. Those making allegations or interviewed will not be given undertakings of confidentiality and it will be explained that evidence compiled in the investigation will be made available to the parties in any subsequent disciplinary proceedings.
- 4.19 A note will be taken of all interviews with the note being completed within 2 school days of the interview and signed by the investigator, and those interviewed will be invited to read and sign it as a true record.
- 4.20 With the consent of the maker of statements, the Staff Disciplinary Committee will request that statements made to Social Services or the Police by potential witnesses in disciplinary proceedings be made available to the Committee for use in the disciplinary proceedings.
- 4.21 Once the investigation has been completed, the investigator will submit his/her written report to the Staff Disciplinary Committee with one of the following conclusions:
- **that the allegations are unfounded**
if the committee agrees with this conclusion the matter will be closed and the member of staff against whom the allegation has been made will be advised in writing as soon as possible;
 - **that the allegations do not amount to gross misconduct but to lesser misconduct**
if the committee agrees with this conclusion the matter will be referred to the appropriate person and considered in accordance with section 3;
 - **that the allegations are well founded and sufficiently serious to be considered by the Staff Disciplinary Committee**
if the investigator comes to this conclusion, the Chair of the Staff Disciplinary Committee will ask the Clerk to proceed immediately to set up a disciplinary hearing.
- 4.22 The Clerk will arrange for the disciplinary hearing to take place within 10 school days of the Chair to the committee receiving the investigation report. The Clerk will seek to agree the date, time and place with all who will be required to attend.
- 4.23 The member of staff against whom the allegation is made will have the right to be accompanied or represented by a person of his/her choice.

- 4.24 The Chief Education Officer or his/her representative will be notified of the meeting at the same time as the member of staff and will be entitled to attend the meeting for the purpose of offering advice to the committee.

Hearing Procedure

- 4.25 The Chair will ensure that all parties have the opportunity to make their contribution without undue interruption, ensure that the key factors are drawn out and that the hearing is concluded in a manner conducive to all parties being treated with respect and that witnesses are put at ease.

- The Chair will introduce the members of the committee and the Clerk will explain the remit of the Staff Disciplinary Committee and set out the order of the proceedings.
- The presenting officer - the person presenting the evidence against the member of staff (usually the investigating officer or the Headteacher) will set out the allegations against the member of staff, present any written or other evidence and call witnesses.
- The presenting officer and members of the Staff Disciplinary Committee will have an opportunity to question any parties called to give evidence against the member of staff.
- The member of staff and/or their representative will be given the opportunity to present their case, including any relevant written or other evidence and call witnesses.
- Members of the Staff Disciplinary Committee will have the opportunity to question the member of staff and/or their representative and any witnesses called on behalf of the member of staff.
- Witnesses will leave after they have given evidence and been questioned.
- The presenting officer and the member of staff or his/her representative each will be given the opportunity to sum up their case and will leave the hearing.
- The Staff Disciplinary Committee will hear any advice the Chief Education Officer and, if applicable, the Diocesan Director, or their representatives, may wish to offer - the advisers will then leave the hearing.
- The Staff Disciplinary Committee will continue in private, without advisers other than the Clerk, to make its decision.
- The Staff Disciplinary Committee is able to adjourn the hearing at any time to consider any new evidence or for private discussion.

- 4.26 Having considered all the evidence and taken into account advice provided the committee can conclude that:

- the allegation is unproven and no action be taken; or
- the behaviour alleged constitutes lesser misconduct and a formal oral warning, formal written or final warning should be issued.

A report of the warning will be placed on the member of staff's personal file and he/she given a copy. A copy will also be provided to the Chief Education Officer where the member of staff is employed by the LEA. The member of staff's acknowledgement of the verbal warning and any observations on it will also form part of the record.

- the allegation of gross misconduct is proven and depending on the severity of the misconduct where relevant, any allowances/responsibility points could be removed and/or progression up the salary scale halted or the member of staff could be dismissed.

- 4.27 If possible the decision and the reason for it will be given orally at the end of the hearing. Whether or not the decision is delivered orally, it will be confirmed in writing to the member of staff within 5 school days. Where the committee decides to issue a warning or impose a penalty, this and the reasons for the decision will be set out in the letter.
- 4.28 Where a decision to dismiss the member of staff is taken and he/she is employed by the LEA and not the Governing Body, the committee will copy the letter to the Chief Education Officer, once the period allowed for the member of staff to appeal has expired. The Chief Education Officer will dismiss the member of staff within 14 days of notification of the decision by the Staff Disciplinary Committee or the Disciplinary Appeal Committee.
- 4.29 Where a decision to dismiss the member of staff is taken and he/she is employed by the Governing Body of the school, the letter of confirmation to the member of staff will also include notification of dismissal and any appropriate period of notice.

Disciplinary Hearing - Appeal

- 4.30 The member of staff is entitled to appeal against a decision of the Staff Disciplinary Committee. This notice of the intention to appeal needs to be lodged with the clerk to the Disciplinary Appeal Committee within 5 school days of receipt of the written notification of the decision. At this stage the appeal notice need not include the grounds for the appeal. However the reasons for the appeal and all supporting documentation must be submitted to the clerk of the disciplinary appeal committee 5 school days prior to the appeal hearing.
- 4.31 The appeal will be heard by the Disciplinary Appeal Committee within 10 school days of the date the member of staff lodging their appeal. The member of staff will be given notice of the date and time of the appeal hearing within 7 school days of the hearing.

- 4.32 The purpose of the hearing is to enable the Disciplinary Appeal Committee to satisfy itself that the decision reached by the Staff Disciplinary Committee was reasonable and fair in all the circumstances. The appeal may take the form of a rehearing or a submission on the facts of the case, as the member of staff wishes. It will take into account any new evidence that has arisen since the original hearing; will consider matters of fact and those in dispute; and will consider the procedures followed. The procedure if there is a rehearing will be the same as that for the disciplinary hearing except that the committee will have regard to the record of the disciplinary hearing and its findings.
- 4.33 The Disciplinary Appeal Committee can confirm the decision of the Staff Disciplinary Committee impose a lesser penalty or conclude that no action should be taken against the staff member. The committee will not impose a more severe penalty.

Suspension

- 4.34 Both the headteacher and the Governing Body have the power to suspend a member of staff, but only the Governing Body can end a suspension.
- 4.35 Even though suspension from duty of a member of staff is a neutral act, it could have a detrimental effect on that member of staff's career and can be a traumatic experience for the individual concerned, for the pupils and other staff at the school. Very careful consideration should be given to all the relevant factors before suspension.
- 4.36 Suspension will only be considered where allegations relate to gross misconduct and where:
- it appears to be necessary to exclude the member of staff from the school for the protection of pupils, other staff or property or the orderly conduct of the school;
 - the continued presence at work of the member of staff would be an obstacle to proper investigation of the allegations made against that member of staff;
 - there is no other suitable option available e.g. restricting the duties of the member of staff.
- 4.37 Where possible, the headteacher will consult with the Chair of the Governing Body (or Vice Chair if the Chair is not available) before taking action to suspend a member of staff. However, if neither is available, the headteacher may go ahead and suspend a member of staff.

- 4.38 Where suspension is being considered, an interview will be arranged between the headteacher and the member of staff. Where the suspension of the headteacher is being considered, the interview will be conducted by the Chair of the Governing Body.

In accordance with the ACAS Code of Practise on Disciplinary Grievance Procedures, where the member of staff is a trade union or health and safety representative, there will be discussion with the relevant full time official of the trade union concerned before the interview is arranged. From the outset, it should be established that the action being taken is not an attack on the functions of a trade union.

- 4.39 The headteacher will advise the member of staff called to an interview to seek the advice and assistance of a friend or work colleague or his/her union representative.

- 4.40 The member of staff will be informed at the start of the interview that an allegation has been made and that, at the conclusion of the interview, suspension may occur. It will also be made clear to the member of staff at the outset that the interview is not a formal disciplinary hearing, but is for the purpose of addressing a serious matter, and could lead to consideration under the Governing Body's disciplinary procedures.

- 4.41 The headteacher (of Chair of Governors) will give the member of staff as much information as it is possible to disclose without interfering with the investigation into the allegation, including the reasons for any proposed suspension. The member of staff will be given an opportunity to make representations concerning the suspension and offered a brief adjournment prior to responding.

- 4.42 If, at the end of the interview, the headteacher or Chair of Governors considers that suspension is necessary, the member of staff will be advised that he or she is suspended from duty. Written confirmation of the suspension, giving the reasons, will be sent to the member of staff is possible within one school day of the interview. The suspended member of staff will need to return all school property and collect their personal property from the school as soon as practicable. The suspended member of staff will be offered the name of a person not involved in the investigation with whom they can discuss employment matters and any support needs.

- 4.43 Where a member of staff at a community, community special or voluntary controlled school has been suspended, the headteacher will give written notice of the suspension notice to the Chair of Governors and the Chief Education Officer of the LEA. In the case of suspension of the headteacher, the Chair of Governors will inform the LEA.

- 4.44 Where a member of staff at a voluntary aided or foundation school has been suspended, the headteacher will given written notice of the suspension to the Chair of Governors, the Chief Education Officer of the maintaining LEA and, where applicable, the diocesan authority. In the case of the suspension of the headteacher, the Chair of Governors should inform the LEA and any diocesan authority.

4.45 Suspensions will be reviewed at regular intervals. The Governing Body has delegated responsibility for these reviews to the headteacher who will keep the Chair of Governors informed. If it is the headteacher who is suspended, the Chair of Governors will review the position at regular intervals.

Suspension must be on full pay and without loss of emoluments.

Sick Absence of a Staff Member Facing Allegations

In most cases, a staff disciplinary hearing will be postponed if the staff member is sick. However, this is not always a satisfactory approach and may create uncertainty for the school and added stress for the member of staff. If the member of staff is expected to be sick for a long time, consideration will be given to going ahead with the disciplinary hearing. If this is the decision, the member of staff and his/her representative will be advised of this and the member of staff will be given the opportunity to use a representative to present his/her case. The representative will have the same opportunity the staff member would have had to present evidence, call witnesses and sum up the staff member's case.

If the member of staff were to decline the opportunity to use a representative to present his/her case and their own state of health would cause an extended delay in the proceedings, the Disciplinary Committee will go ahead on the basis that the member of staff had been afforded reasonable opportunity to make his or her case. However, the Staff Disciplinary Committee will weigh up whether going ahead would be consistent with the need to act fairly and with its own procedures and whether the staff member might be able to mount a claim for breach of contract.

Resignation of the Member of Staff

If the member of staff resigns while disciplinary procedures are pending or incomplete and where the allegations relate to gross misconduct, the headteacher (of the Chair of Governors in the case of allegations against the headteacher) will advise the staff member that disciplinary procedures will continue to completion. This is necessary to enable the employer to comply with its obligations under The Education (Supply and Information) [Wales] Regulations 2003 (paragraphs 6.15 - 6.17). In many cases, the period of notice for resignation will allow the Governing Body sufficient time to conclude the disciplinary proceedings. If the time is insufficient, the Governing Body cannot compel a former staff member to attend a disciplinary hearing, but it will arrive at a view on the basis of the available evidence as to whether dismissal would have been the appropriate outcome.