

Grievance and Disciplinary Policy

Version 1.2

1. Policy Statement

Learn With Confidence (LwC) is committed to maintaining a positive, respectful, and professional working relationship with all tutors, who are engaged as self-employed professionals. This Grievance and Disciplinary Policy outlines the procedures for addressing concerns or disputes raised by tutors, as well as how LwC manages breaches of conduct or performance issues. The policy ensures that grievances and disciplinary matters are handled fairly, transparently, and in line with best practices, while respecting the self-employed status of the tutors.

2. Aims

The aims of this policy are to:

- Provide a clear and transparent process for tutors to raise grievances and have them addressed in a timely manner.
- Ensure that any concerns regarding conduct or performance are handled consistently and fairly.
- Uphold a professional standard of conduct that aligns with LwC's values, ensuring a positive and safe learning environment for students.
- Maintain the independence of tutors, while ensuring their conduct aligns with the values and standards of LwC.

3. Scope

This policy applies to all self-employed tutors contracted by LwC. It addresses:

- **Grievances:** Concerns or complaints raised by tutors about their working conditions, relationships with LwC, or the conduct of other tutors, staff, or students.
- **Disciplinary Issues:** Matters related to conduct, performance, or behaviour that do not meet the expectations outlined by LwC.

4. Grievance Procedure

4.1 Raising a Grievance

- **Informal Resolution:** Where possible, LwC encourages tutors to raise concerns informally by speaking directly with the relevant party (e.g., LwC director, a colleague, or a student). Many issues can be resolved quickly through open communication.
- **Formal Grievance:** If an informal resolution is not possible, or if the grievance is of a more serious nature, the tutor may submit a formal grievance in writing to Gayle Voller. The grievance should include:
 - A clear description of the issue.
 - Any steps already taken to resolve it.
 - The desired outcome or resolution.
- **Acknowledgment:** LwC will acknowledge receipt of the grievance within **5 working days** and confirm the next steps.

4.2 Grievance Investigation

- **Investigation:** LwC will investigate the grievance thoroughly and fairly. This may involve speaking with other parties involved and reviewing any relevant documentation or evidence.
- **Meetings:** If necessary, a meeting will be arranged with the tutor to discuss the grievance in more detail. The tutor is welcome to bring a colleague or representative for support.
- **Resolution:** Following the investigation, LwC will communicate the outcome to the tutor, including any actions to be taken to resolve the issue. This will typically occur within **10 working days** of the formal grievance being raised.

4.3 Appeals

- If the tutor is not satisfied with the outcome, they may appeal in writing within **5 working days** of receiving the decision. LwC management will review the appeal and respond within **10 working days**.

5. Disciplinary Procedure

5.1 Standards of Conduct

All tutors working with LwC are expected to maintain high standards of professionalism, integrity, and conduct. This includes:

- Adhering to LwC's policies, such as the Safeguarding and Child Protection Policy, Online Safety Policy, and Code of Conduct.
- Ensuring respectful, professional communication with students, families, and LwC staff.
- Delivering high-quality educational support in line with LwC's ethos.

5.2 Addressing Conduct or Performance Issues

If concerns arise regarding a tutor's conduct or performance, LwC will follow a structured approach to address the issue fairly:

- **Informal Discussion:** Minor concerns will initially be addressed informally, with LwC management discussing the issue directly with the tutor and providing guidance or support for improvement.
- **Formal Discussion:** If the issue persists or is of a more serious nature, LwC may arrange a formal meeting with the tutor to discuss the concern in detail. The tutor will be informed in writing of the specific issue(s) and invited to attend the meeting with sufficient notice.
- **Action Plan:** If necessary, LwC and the tutor will agree on an action plan for improvement. This may include additional training, supervision, or adjustments to working practices.

5.3 Formal Disciplinary Action

If the issue is not resolved through the steps outlined above, or if the behaviour is considered a serious breach of conduct, LwC may take formal disciplinary action. This may include:

- **Written Warning:** A formal written warning outlining the nature of the misconduct or performance issue and the required improvements. This will be recorded on file.
- **Suspension of Work:** In more serious cases, LwC may suspend the tutor's work while an investigation is conducted. This may apply where there are concerns about safeguarding or professional standards.

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- **Termination of Contract:** In cases of gross misconduct or repeated failure to meet expectations, LwC reserves the right to terminate the tutor's contract. This will only occur after careful consideration and following an investigation.

5.4 Right to Appeal

- Tutors have the right to appeal any formal disciplinary action. Appeals must be submitted in writing within **5 working days** of receiving the decision. The appeal will be reviewed by LwC management, and a final decision will be communicated within **10 working days**.

6. Examples of Misconduct and Gross Misconduct

Misconduct	Gross Misconduct
Repeated failure to follow LwC policies	Safeguarding breaches
Inappropriate communication with colleagues or students	Physical or verbal abuse
Unreliable attendance or cancellation of sessions without notice	Fraud or theft
Failure to deliver lessons to the expected standard	Harassment or bullying
Misuse of LwC systems or resources	Unlawful or criminal activity

7. Legislation referenced

- **Employment Rights Act 1996** – While tutors are self-employed, this Act provides a framework for fair treatment in the workplace and informs best practices regarding handling grievances and disciplinary procedures.
- **Equality Act 2010** – Ensures that tutors are not discriminated against based on protected characteristics (e.g., age, disability, gender, race, religion, etc.) during the grievance and disciplinary process.
- **Health and Safety at Work Act 1974** – Places a duty on LwC to ensure the health, safety, and welfare of tutors while they are working on LwC premises or providing services on behalf of the provision.
- **General Data Protection Regulation (GDPR) 2018** – Governs the handling of personal data during grievance and disciplinary procedures, ensuring data privacy and protection.
- **Safeguarding Vulnerable Groups Act 2006** – Requires that tutors working with young people in education comply with safeguarding obligations, including in cases related to disciplinary action involving safeguarding concerns.
- **Rehabilitation of Offenders Act 1974** – Informs how past convictions (if any) are handled in employment or self-employment situations, particularly in disciplinary matters.
- **Keeping Children Safe in Education (KCSIE) 2024**
- **Protection from Harassment Act 1997** – Provides a legal framework for addressing issues of harassment, which may arise in disciplinary actions or grievances involving staff conduct.

8. Key Policies Referenced

This Grievance and Disciplinary Policy should be read in conjunction with the following LwC policies:

- **Safeguarding and Child Protection Policy**
- **Code of Conduct**
- **Online Safety Policy**
- **Monitoring and Review**
- **Whistleblowing Policy**

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- **Complaints Policy**

9. Monitor and Review

This policy will be reviewed annually by LwC leadership to ensure that it remains up to date with best practices for managing self-employed tutors and addressing grievances and disciplinary issues.

Version Control			
Version No.	Date	Author	Notes
1.0	15 th October 2024	K Perry	Initial Draft
1.1	01.09.2025	KP	
1.2	5.9.26	KP	