



THE DIOCESAN SCHOOL FOR GIRLS

**POLICY AND PROCEDURE:
DISCIPLINING STAFF MEMBERS**

DISCIPLINING STAFF MEMBERS OBJECTIVE

The objective of this policy and procedure is to provide guidelines to management and staff members for addressing misconduct in relation to the workplace. It must be noted that this procedure may also have a bearing on the conduct of a staff member outside of normal working hours, should the staff member's conduct impact on the employment relationship, or on the standing or interests of the School.

This document is intended as a business tool and does not create legal entitlements or contractual obligations for the employer in addition to those required by law.

DEFINITIONS

“The Staff” comprise:

- i. Senior Management of School (Head; Deputy Heads, Housemistresses, Grade Heads, Chaplain)
- ii. Teaching staff
- iii. Wellness Team
- iv. Administrative staff
- v. Support staff
- vi. Student assistants and coaches (whether they are fixed-term or indefinite, full-time or part-time staff members).

Misconduct

Unacceptable or improper behaviour by a staff member

THE PURPOSE OF DISCIPLINE

1. Disciplinary action is action by the employer against staff members in reaction to the wrongful and blameworthy breach of the rules, standards or expected behaviour in relation to the employer's workplace.
2. The purpose of discipline is to maintain good order in the School and to persuade the staff member to once again adhere to the high standards that are expected of staff members and is not necessarily intended as punishment. Management should use a problem-solving approach to discipline and should seek to establish the causes of disciplinary problems. A premium is placed on both employment justice and the efficient operation of the organisation. While staff members should be protected from arbitrary action, employers are entitled to satisfactory conduct and work performance from their staff members.
3. The Disciplinary Code and Procedure is applicable to staff member for addressing blameworthy deviations from the required standards and behaviour. This document establishes guidelines for the School to maintain and enforce discipline in respect of the staff members of the School and has been compiled in accordance with the Code of Good Practice: Dismissal as contained in Schedule 8 to the Labour Relations Act.
4. A disciplinary investigation and appropriate steps should be taken as soon as possible after the alleged misconduct has come to the attention of the Head or responsible manager. Discipline should be applied consistently in respect of all staff member, regardless of the seniority of the staff member.
5. The School will adopt a corrective and progressive approach to discipline where possible. Nevertheless, some incidents of misconduct may justify a final warning or dismissal even if it is

a first offence. Dismissal is generally viewed as being necessary when misconduct is of a serious nature, or where offences are repeated. For example, dismissal would be indicated where the misconduct has caused a continued employment relationship to be intolerable. If this is the case, evidence from the staff member's superior will be required to indicate why/how the trust relationship has broken down irretrievably.

6. Disciplinary actions that may be applied by the School, in order of severity, include:
 - a counselling and/or verbal reprimand
 - a written warning (valid for 6 months)
 - a final written warning (valid for 12 months)
 - dismissal (with or without notice)
7. Warnings issued by the School should be recorded and noted on the staff member's personal file. Any warnings issued must be valid for a specific period (e.g. first warnings 6 months; final warnings 12 months) and expired warnings must then be disregarded when considering subsequent disciplinary action to be taken, unless a pattern of misconduct infringements over a period of time is apparent, in which case previous and expired warnings may be considered as an aggravating factor. Expired warnings therefore should remain on the staff member's file and need not be 'expunged'.

DISCIPLINARY PROCESS

An investigation into misconduct is usually instituted by the immediate superior of the staff member in question and should be conducted fairly and in accordance with Schedule 8 of the LRA.

There is no legally prescribed procedure to be followed when conducting a disciplinary investigation. The investigation must however adhere to the principles of fairness – both substantially (the merits of the case) and procedurally.

The disciplinary procedure may be informal or formal, as long as it is fair. The basic **procedural** rules that must be complied with, are the following:

- The staff members must be made aware of the allegations of misconduct and must understand the content thereof. This would include using understandable language to inform the staff member of the nature of the allegations, and giving him/her sufficient details (dates / times / items or people involved) to be able to effectively respond to the allegations.
- The staff member must be given a fair opportunity to respond to the allegations or to provide an explanation. This would include the right to a representative (co-worker), reasonable time to prepare a response, and the services of a translator if required.
- The person taking the decision as regards the staff member's guilt and the appropriate disciplinary sanction must be objective and neutral.

The recommended procedure to be followed when investigating misconduct can be summarised as follows:

1. The disciplinary process is generally triggered by unacceptable behaviour being observed and/or being reported to school management.
2. On becoming aware of the incident, the staff member's superior should investigate the complaint/incident, to determine whether or not the possible disciplinary action is warranted.
3. The investigation should be aimed at determining the aspects as set out in par. 8 below. This could be done by gathering documents, taking witness statements, securing items or records that could be used as evidence at a disciplinary enquiry.
4. The staff member may be suspended (on full pay) at this point, pending the outcome of the disciplinary investigation and decision. However, the decision to suspend is not a unilateral decision.
 - 4.1. Suspension is not always necessary or desirable and the decision to do so must be justifiable – for example if the integrity of the investigation or availability of evidence may be at risk if the staff member is allowed to continue working.

- 4.2. The staff member must be informed of the reasons and the basis for the intended suspension and should have an opportunity to be heard and/or make representations *prior* to a final decision in this regard being taken.
 - 4.3. The employer should consider any representations made by the staff member as regards the intended suspension, before a final decision is taken.
 - 4.4. If the employer decides to suspend the staff member, he/she should be advised of his/her suspension in writing. (The document "NOTICE OF SUSPENSION" may be used for this purpose.)
 - 4.5. The staff member must be given a notification to attend a hearing at the same time as being suspended. However, if the investigation has not been concluded at this time, regular contact between the School and the staff member must be arranged and maintained until a decision is taken in respect of the findings of the investigation.
 - 4.6. During the period of suspension, the staff member will generally not be permitted to contact any co-workers or other parties associated with the School, nor to gain access to the School premises. If the staff member wishes to speak to potential witnesses or to obtain information in preparation of his/her defence, this will be arranged with the Head or his/her designate and the necessary measures taken to facilitate this process appropriately.
5. At the conclusion of the investigation, the investigator should collate the evidence and determine if there is sufficient *prima facie* evidence for potential disciplinary action and if so, formulate the allegations against the staff member accordingly.
 6. When the investigation is at the stage where the allegations must be put to the staff member to respond to, the investigator must inform the staff member of the allegations and explain which rules have allegedly been broken.
 7. The staff member must always be given a fair opportunity to explain or respond to the allegations of misconduct. If necessary, assistance in terms of a translator or co-worker should be arranged. This applies even in cases where a warning may be appropriate and where an informal procedure is followed.
 8. The circumstances of the alleged misconduct must be determined by considering the aspects for **substantive** fairness as set out in Schedule 8 of the LRA:
 - 8.1. The existence of a rule or standard that has allegedly been breached, and whether it is a valid and legitimate rule/standard.
 - 8.2. If the staff member had been aware, or could reasonably be expected to have been aware, of this rule or standard.
 - 8.3. Whether the rule / standard has been consistently applied in the past as well as contemporaneously.
 - 8.4. If, on the facts of the matter, the staff member did in fact breach the rule / standard.
 - 8.5. If the staff member acted wrongfully and was at fault (can be blamed) in breaching the rule, i.e. that the staff member acted intentionally or was negligent.
 9. Should the staff member be found guilty, then the appropriate sanction must be determined. The sanction must fit the offence in order to be substantively fair. (The attached DISCIPLINARY SCHEDULE may provide guidelines in this regard.)
 - 9.1. If infringement is confirmed but considered to be of a nature which does not require severe disciplinary action or possibly dismissal, the responsible manager should counsel the staff member, and issue an appropriate WARNING to the staff member concerned.
 - 9.2. A FINAL WARNING is generally only imposed by senior management, if the offence concerned was serious but did not warrant dismissal, or if an offence occurs subsequent to a previous infringement for which a first written warning was already

issued and is still valid. A final warning can also be issued if the conduct of the staff member reflects a pattern of disregard for rules and regular infringements.

- 9.3. The staff member must understand (and this should be reflected on the warning form) that the warning / final warning is for misconduct in general and that progressive disciplinary actions may be taken for *any* further infringement – regardless of the nature of misconduct, similar or not.
- 9.4. Records must be kept of warnings issued and the staff member must be given a copy thereof. If the staff member refuses to sign acknowledgement of the warning, the relevant manager should note this on the document, and have it witnessed.
- 9.5. A decision to dismiss the staff member will be taken / confirmed by senior management. Although not compulsory, the School normally only takes such a decision after a more formal investigation, such as a disciplinary enquiry.

DISCIPLINARY ENQUIRY / HEARING

1. A formal disciplinary hearing is not prescribed by law in order to attain procedural fairness in the case of a dismissal for misconduct.
 - 1.1. A formal disciplinary enquiry (hearing) may however sometimes be preferred as the appropriate procedure to be followed to determine the guilt or not of the staff member – mostly for serious incidents which could warrant dismissal, or where the staff member had already received a final warning which has not expired.
 - 1.2. A formal enquiry may also be preferable if the initial investigation turns up a lot of evidentiary and factual disputes (typically where witnesses contradict one another) and when the format of a formal enquiry would facilitate determination of these disputes by way of evidence led, witnesses questioned, etc.
 - 1.3. The formal enquiry should comply with the three basic procedural principles as outlined above, and the staff member's guilt or not should be determined by having regard to the principles of substantive fairness as stipulated in Schedule 8 of the LRA (see par. 8 above).
2. The format of a formal disciplinary enquiry may be as follows:
 - 2.1. Notification of the enquiry to be given to the staff member concerned with details of the allegations, date, time and venue. It must be communicated to the staff member in a language that he/she can understand. The hearing must take place as soon as possible after the employer became aware of the alleged misconduct.
 - 2.2. The document NOTIFICATION TO ATTEND A DISCIPLINARY ENQUIRY may be used by the investigator for this purpose and should set out the following information:
 - 2.2.1. Gives sufficient details or a short description of the allegations against the staff member, to enable him/her to prepare for the enquiry.
 - 2.2.2. Informs the staff member that he/she may arrange for a co-worker to assist him/her during the enquiry.
 - 2.2.3. Informs the staff member that a translator may be requested if required – this should be done timeously in order for the School to make the necessary arrangements.
 - 2.2.4. Informs the staff member that he/she will have the opportunity to question the School's allegations and evidence presented and to present his/her own case in response to the allegations (which may include calling witnesses).
 - 2.2.5. Informs the staff member that failure or refusal to attend the enquiry without a valid reason, will be deemed as the staff member having waived his/her rights to be heard, and that the enquiry may then proceed in his/her absence. In the absence of an explanation or response to rebut the allegations, the staff member might be found guilty and dismissal could follow.
 - 2.3. The staff member must be given reasonable notice of at least 48 hours or two working days) of the scheduled enquiry to provide the staff member with sufficient time to identify relevant witnesses and adequately prepare his/her case and defence.
 - 2.4. A formal enquiry is generally presided over by a neutral and objective Chairperson, who must conduct and manage the process fairly in order to determine the facts of the case and the probable guilt or not of the staff member.
 - 2.5. The Chairperson will firstly ensure that all procedural requirements have been met (such as sufficient time to prepare, understanding the allegations) and establish the matter of representation and if a translator is required. Any objections must be dealt with.
 - 2.6. The staff member's representative should not also be the translator. In this instance another staff member or independent person should translate.

- 2.7. The proceedings must be recorded and the minutes kept on the staff member's personal file. Disciplinary enquiries must be treated as confidential.
 - 2.8. The staff member has the right to be present throughout the hearing unless he/she refuses to attend or behaves in such a way that the hearing cannot proceed in his/her presence.
 - 2.9. Evidence may be presented by both parties during the hearing and such evidence may be challenged by the other party. The Chairperson may ask questions in order to clarify evidence and/or to establish facts. The employer bears the onus to prove the guilt of the staff member on a balance of probabilities.
 - 2.10. The chairperson should make the following determinations at the conclusion of the enquiry:
 - 2.10.1. Whether, on a balance of probabilities, the staff member is guilty of (some of) the allegations against him/her (according to the principles of substantive fairness as set out above);
 - 2.10.2. If the staff member is guilty, what the appropriate sanction should be – *after* having considered any aggravating / mitigating factors forwarded by the parties, including the staff member's previous disciplinary record;
 - 2.10.3. If the staff member is not guilty, that no sanction is applicable.
 - 2.11. The staff member must be informed of the chairperson's decision, in writing, within a reasonable time. The chairperson should provide brief reasons for his/her decision. The document FINDINGS OF DISCIPLINARY ENQUIRY may be used in this regard.
 - 2.12. Any decision / recommendation by the chairperson for dismissal must be ratified by the Head or their delegate.
3. If the staff member is dismissed, he/she must be informed of the right to approach the CCMA within 30 days of the date of dismissal.

DISCIPLINARY SCHEDULE

The School's Disciplinary Schedule (attached) is ONLY intended as a *guideline* for appropriate disciplinary action for various types of offences / breaches of the employment contract. The (mitigating and/or aggravating) circumstances of a particular case may justify a more or less severe sanction than that recommended in the Schedule.

- The various offences and transgressions set out in the Code are not intended to be an exhaustive list, but rather an indication of the broad types and severity of possible infringements, and appropriate sanctions.
- The Schedule makes provision for 'progressive' or accumulative disciplinary measures, i.e. the imposition of a harsher sanction for repeated offences. This does however not preclude more severe sanctions, including dismissal, for first offences if this is justified by the circumstances of the transgression.
- Disciplinary sanctions are given for **misconduct** having been perpetrated, regardless of the type or category of such misconduct. A staff member does not have to be found guilty only of the same or similar type of misconduct in order to receive a more severe sanction - progressive discipline is applicable to all incidents of repeated misconduct, related *or otherwise* to previous misconduct for which the staff member may have received formal warnings.

Attachments: Written Warning
Final Written Warning
Letter of Suspension
Notification to attend a Disciplinary Enquiry
Disciplinary Schedule for Staff

WRITTEN WARNING

Staff member's name: _____

Designation: _____

NATURE OF UNACCEPTABLE BEHAVIOUR / DISCIPLINARY OFFENCE COMMITTED:

DURATION OF WARNING:

This *Written Warning* is valid for a period of _____ months.

We trust that there will be an immediate improvement in your conduct. Failing this, however, more serious disciplinary action may be imposed.

Kindly note that should you within this period be found guilty of any other act of misconduct, related or otherwise to the misconduct leading to the sanction above, you will render yourself liable for further disciplinary action.

ISSUED BY: _____ DESIGNATION: _____

SIGNED: _____ DATE: _____

STAFF MEMBER: _____ DATE

REPRESENTATIVE: _____ DATE: _____

If staff member refuses to sign – witness to sign that warning was handed to staff member:

WITNESS: _____ DATE: _____

FINAL WRITTEN WARNING

Staff member's name: _____

Designation: _____

NATURE OF UNACCEPTABLE BEHAVIOUR / DISCIPLINARY OFFENCE COMMITTED:

DURATION OF WARNING:

This *Final Written Warning* is valid for a period of _____ months.

We trust that there will be an immediate improvement in your conduct. Failing this, however, more serious disciplinary action may be imposed.

Kindly note that should you be found guilty of any other act of misconduct, related or otherwise to the misconduct leading to the sanction above, you may render yourself liable for dismissal.

ISSUED BY: _____ DESIGNATION: _____

SIGNED: _____ DATE: _____

STAFF MEMBER: _____ DATE: _____

REPRESENTATIVE: _____ DATE: _____

If staff member refuses to sign – witness to sign that warning was handed to staff member:

WITNESS: _____ DATE: _____

ON LETTERHEAD

Name: _____ Designation: _____

Date: _____ Time: _____

NOTICE OF SUSPENSION

1. We refer to our earlier discussion during which you have been advised of a disciplinary investigation being instituted against you, and that due to the nature of the alleged misconduct, possible risk to the School and to protect the integrity of the investigation, we intended to suspend you pending the outcome of the disciplinary process.
2. You have been given the opportunity to respond to this and a final decision has now been taken.
3. We wish to advise that you are hereby suspended with immediate effect, on full pay, pending a disciplinary investigation into your conduct.

- Notification to attend a hearing is attached hereto.

OR (*delete which is not applicable*)

- You must report to _____ at your workplace at _____ (time) on _____ (date) to receive further details.

If you fail to report at your workplace at the time as indicated above, you will not be paid for the period that you are absent without arrangements having been made.

4. During the period of suspension, you may not access the workplace or contact other staff members or anyone associated with the School, unless you have made prior arrangements with the School Head in this regard.
5. You are required to be available to the School during the period of suspension at all times and to report to the venue for the disciplinary hearing at the time as indicated. Failure to do so without a valid reason or management's permission, will be regarded as unpaid absence.
6. Your suspension should not be construed as an indication of guilt or otherwise in this matter.

Signed: _____ (On behalf of the School)

Name: _____

Designation: _____

I hereby acknowledge receipt of this letter and understand the contents thereof.

Signed: _____ Date: _____

If the staff member refuses to sign – witness to sign that notice was handed to the staff member

Witness: _____ Date: _____

NOTIFICATION OF A DISCIPLINARY ENQUIRY

1. STAFF MEMBER: _____
2. NOTICE OF AN ENQUIRY TO BE HELD:
TIME: _____ DATE: _____
VENUE: _____
3. The purpose of the enquiry will be to consider the following complaints of misconduct against you:
(add separate page(s) if necessary)

4. **IMPORTANT:** You have the right to:
 - be represented / assisted by a co-worker (it is your duty to arrange this timeously prior to the enquiry)
 - state your own case and show evidence (including calling witnesses) in support thereof (You must ensure that your witnesses are available at the time of the enquiry. If any of your witnesses are employed by the school, please inform the management in advance in order to arrange for them to attend.)
 - question the school's witnessesAn interpreter will be provided by the school if necessary. Please inform management well in advance of the enquiry if this will be necessary.
Please note that, depending on the facts that emerge at this disciplinary enquiry, you may face disciplinary action, which could include dismissal.
5. **Should you not attend this enquiry at the stated date and time and fail to give an acceptable reason in advance for your non-attendance, the enquiry may proceed in your absence and you will be informed of the chairperson's decision thereafter.**

ISSUED BY:

_____	_____
NAME	DESIGNATION
DATE: _____	TIME: _____

I acknowledge receipt of the notification of the enquiry to be held and I understand my rights.

_____	_____
STAFF MEMBER	STAFF MEMBER REPRESENTATIVE
DATE: _____	TIME: _____
_____	DATE: _____ TIME: _____

WITNESS

(If the staff member refuses to sign, indicate this and ensure that a management witness also signs to confirm this.)

NOTIFICATION OF FINDINGS OF DISCIPLINARY ENQUIRY

1. STAFF MEMBER: _____

2. MISCONDUCT ALLEGATIONS: _____

3. FINDING: GUILTY / NOT GUILTY

4. REASONS FOR FINDINGS / PARTICULARS:

(Attach additional paper for more comprehensive findings.)

5. DISCIPLINARY ACTION TO BE TAKEN (Warning / Final Warning / Dismissal):

6. REASONS FOR THIS DECISION:

* You may refer a dispute to the CCMA within 30 days.

MANAGER: _____ DATE: _____

STAFF MEMBER: _____ DATE: _____

WITNESS: _____ DATE: _____

DISCIPLINARY SCHEDULE FOR STAFF

This document is intended as a business tool and does not create any contractual obligations for the employer or legal entitlements in addition to those required by law.

The purpose of this Schedule is to indicate to staff members and management which types of offences may, in terms of the School's values and standards, be regarded as serious and the type of sanction that might be considered appropriate.

It should be noted that it is impossible to list every possible transgression that a staff member may commit in the workplace and that this Schedule can never be exhaustive or limited. The Employer has the right to amend, revise and add to this Schedule and charge staff members with any offence which is deemed an offence in terms of the common law, School rules/standards and acceptable practice.

The Schedule of sample offences and proposed actions merely serves as a guideline and does not constitute inflexible rules that have to be followed to the letter. The circumstances and merits of each individual case will be taken into account and the Chairperson or decision maker is expected to exercise his/her discretion in making a value judgement, which may result in deviation from the recommendations contained in the Schedule.

A balanced and appropriate sanction should include reference to

- The offence itself (e.g. circumstances, seriousness, etc.)
- The circumstances of the staff member (e.g. disciplinary record, length of service, acknowledgement, remorse or lack thereof, pre-meditation, etc.)
- The interests of the employer and other staff members (e.g. safety considerations, impact on the School, damage to reputation, losses, harm or potential harm, community interests, risk of continued employment, damage to trust relationship, etc.)
- Consistency - however, this is not absolute. The merits of each case are paramount and differentiation between seemingly similar cases could still be fair if this is justifiable.

CATEGORIES OF OFFENCES AND RECOMMENDED SANCTIONS

Category A

Gross / serious misconduct – dismissal may be appropriate for a first transgression

- Conduct involving dishonesty, including
 - Bribery, fraud, theft or unauthorised possession or removal of another's property (actual, intended or attempted).
 - Being an accomplice, colluding, conspiring, assisting / abetting or instigating dishonesty, fraud, or theft.
 - Unauthorised possession, removal (attempted or actual), misappropriations, unauthorised 'borrowing', use and/or abuse of property or facilities of the School or another party.
 - Soliciting or accepting gifts, considerations or favours from any person or organisation in contravention of the School's ethics, values or acceptable practices.
 - Submitting false documentation, reports, evidence, allegations, claims, information regarding previous employment, criminal convictions or misconduct that impacts upon the relationship of trust.
 - Failure of a staff member to disclose to the employer that he/she qualifies for inclusion in the National Register for Sexual Offenders.
- Dangerous or (potentially) harmful behaviour, including
 - Causing damage to the School property, co-workers, learners, clients or third parties.
 - Improper and /or dangerous operation of equipment, tools or machinery.

- Reckless behaviour and grossly irresponsible acts or omissions.
- Assault (actual or threatened) of a co-worker, client, learner or third party associated with the School – on or off the premises.
- Fighting in the workplace.
- Violent or threatening behaviour.
- Intimidation, victimisation, or the incitement of others to act unlawfully or to fail to act properly.
- Wilful interference with the work of others.
- Intentionally creating disharmony in the workplace, or within a group.
- Fraternising / inappropriate conduct relating to learners
- Being in unauthorised possession of a dangerous weapon and/or firearm (or potentially dangerous object), intoxicating substance or any illicit material or objects that may threaten, endanger or interfere with school operations, concealed or otherwise.
- Making such a weapon, unauthorised substance or dangerous / illicit material available to others while on duty, or at the workplace.
- Storage, sale or distribution of any such weapon, object, substance or material.
- Being under the influence of alcohol, narcotics or any other intoxicating or debilitating substance whilst on duty, operating or tasked to operate vehicles or machinery/dangerous equipment.
- Actions or omissions that result in actual or potential exposure of co-workers, clients/learners or third parties to injury, or expose the School to potential loss or damages.
- Behaviour, acts or omissions that endanger the safety and welfare of others.
- Dangerous 'horseplay' and unsafe acts or omissions, persistent failure to wear issued safety clothing or to use safety equipment provided.
- Refusing (or failure) to take reasonable steps to protect the School's property, serious breach of security procedures, unreasonably refusing to submit to a required search or a test.
- Sabotage, malicious or wilful damage to property or assets (School or third parties).
- Intentional (unprotected) work-stoppage, go-slow or work-to-rule.
- Wilful wastage of material and/or incurring unnecessary costs or penalties.
- Operating or removing a school vehicle without permission and/or without a license or a Public Drivers' Permit where required.
- Failure to report an incident, unsafe act or situation, accident or injury relating to the School or the employment relationship.
- Failure or refusal to report serious misconduct, unlawful or unsafe acts to the School.
- Serious misconduct or actions that may bring the reputation of the School or its stakeholders into disrepute.
- Sleeping while on duty, thereby exposing the staff member, co-workers, learners, the School or third parties to damages or danger.
- Insubordination, insolence, including
 - Gross insubordination, refusal to comply with a reasonable and lawful instruction or directive from a superior, open and serious disrespect towards superiors.
- Harassment, hate speech, etc.
 - Harassment (sexual or otherwise) of any person, bullying, gender abuse, behaviour considered degrading or insulting by another.
 - Making racist, lewd, suggestive or inappropriate gestures, statements or innuendoes to a co-worker, client, learner or third parties.
 - Storage, creation, sale or distribution of obscene or offensive material, publications, email, cartoons or objects.

- Conflict of interests, breaching confidentiality, including
 - Competing with the School, unauthorised moonlighting or free-lancing, having undisclosed personal or other interests that are a conflict of interest, and /or contrary to the interests of the School.
 - Wilfully disclosing or making available to others records or information of a confidential nature without prior authorisation, consent or legal justification.
 - Breaches of confidentiality that may have serious consequences for the School, its staff members or other stakeholders.
 - Breach of School or third party copyrights.
- Gross dereliction of duties / negligence.
- Desertion (intentional or implicit) – abandoning the employment relationship / wilful repudiation of contract, refusal to resume employment, extended unexplained and/or uncommunicated absence without a valid reason.
- Any aggravated misconduct considered to be a serious and material breach of the contract of employment.

Category B

Serious misconduct – final written warning may be appropriate for first transgression

- Making statements, allegations and comments that are derogatory to the School, its management, co-workers, learners or clients/suppliers and/or that are detrimental to the interests of the School and/or its stakeholders.
- Breach of School internet / email or telephone system usage procedures, abuse of school IT facilities, devices, equipment or infrastructure for personal and/or unauthorised purposes.
- Insolence, adopting a disrespectful attitude toward any superior or client / supplier.
- Being discourteous to another, affecting the employment relationship or the reputation and business interests of the School.
- Uncooperative or obstructive behaviour.
- Reporting for, or being on duty under the influence of alcohol, narcotics or any intoxicating or debilitating substance (where no operation of vehicles or equipment/machinery is involved); unauthorised consumption or possession of alcohol or other intoxicating/debilitating substances.
- Use of foul and inappropriate language in the presence of others or clients, especially with learners or parents.
- Smoking in a non-smoking area or refusing to make use of designated smoking areas.
- Abuse of school privileges or seniority status, abuse of position and authority.
- Serious or persistent dereliction of duties.
- Absence from work without permission and without a valid reason for a period of longer than two days and/or without communication.
- Any act or omission considered to be serious, but not sufficient grounds for dismissal as a first offence.
- Timekeeping offences, tampering with timekeeping equipment, misrepresenting timekeeping records or entries in attendance- or other registers.

Category C

Misconduct – written warning appropriate for first transgression

- Failure to adhere to proper procedures, poor quality of work, sub-standard performance, and dereliction of duties which includes loafing, loitering, indolent or slow work.
- Timekeeping infringements, late return from lunch, abuse of smoke-breaks, leaving work early without permission, excessive time-off.
- Absence without permission and/or communication for a period of less than two days, failure to report for duty as scheduled, unreasonable refusal to work scheduled overtime.
- Leaving position or workplace without permission while on duty.
- Carelessness which does not result in serious damage, or potential exposure to serious damage to others or to the School.
- Failure to comply with job instructions, policy provisions or procedures that do not initially result in serious damage to the relationship of trust.
- Abuse of sick or special leave.
- Use without consent, misuse or abuse of School facilities for personal or unauthorised purposes.
- Failure / refusal to inform the employer of misconduct of staff members (derivative misconduct).

Source: ISASA