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POLICY TEMPLATE · CHILDREN'S HOMES

Disciplinary Procedure

Editable Word procedure template meeting Reg 33(2) and the Acas Code

- Suspension to protect children
- Failure to report abuse as a ground
- LADO, police and Ofsted first
- Hearings, outcomes and appeals
- DBS referral decision record



A regulation 33(2) duty for every children's home

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Disciplinary Procedure

What's in the full version

- **Disciplinary procedure**
- **Procedure at a glance.**
- **Suspension decision and review record.**
- **Investigation report.**
- **Hearing invitation checklist.**
- **Outcome record.**
- **DBS referral decision record.**

Pages in this sample

– Disciplinary Procedure (first page)
– Disciplinary Procedure (page 2)

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Disciplinary Procedure

A fair procedure that puts children's safety first: regulation 33(2) and the Acas Code

DOCUMENT CONTROL

Organisation	[Organisation name]
Home	[Home name and address]
Setting type	Children's home (England)
Document title	Disciplinary procedure (regulation 33(2))
Version	[1.0]
Approved by	[Name and role — Registered Manager / Responsible Individual]
Date approved	[DD/MM/YYYY]
Next review date	[DD/MM/YYYY — at least annually, and after any significant change]
Day-to-day owner	[Registered Manager — name]
Related documents	[Safeguarding and child protection policy, including allegations against staff]; [Speaking up (whistleblowing) policy]; [Staff employment policy]; [Grievance procedure]; [Safer recruitment policy]; [Contracts of employment / staff handbook]

How to use this template: This is an editable procedure template, not a finished document, and it is not legal advice. Replace every item in [square brackets] with your own details. Check this procedure against your contracts of employment and staff handbook so they say the same thing, and take employment law advice before you adopt it. Sections 6, 7 and 12.2 contain what regulation 33(2) requires: keep them. Have the registered person approve it before use. Delete every shaded guidance box (including this one) before you issue it. The Sources section at the end lists the public materials this template was written from, which were checked in November 2026. Always confirm that those materials are still current before you rely on them.

What's in this procedure

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- 2 Who does what
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- Appendix C Investigation report
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- Appendix E Outcome record
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- Sources used in preparing this template

1 Purpose and scope

This procedure sets out how [Organisation name] deals with concerns about an employee's conduct fairly and promptly, while keeping children safe. It applies to all employees at the home, including managers. During probation, conduct concerns [may be dealt with through the probation review process in the staff employment policy], but section 6 always applies when the concern is about a child's safety.

Concerns about ability (capability) rather than conduct are handled under the staff employment policy, unless they also raise conduct issues.

2 Who does what

Role	Name, phone, email
Registered Manager	[Name] — investigates or hears cases for staff at the home
Responsible Individual	[Name] — hears cases involving the Registered Manager; hears appeals
HR adviser	[Name or provider, phone]
Local Authority Designated Officer (LADO)	[Area, phone, email]
Ofsted (notifications)	[Online notification route]
Police (non-emergency)	101

3 The law and guidance

- **Regulation 33(2).** The registered person must operate a disciplinary procedure which, in particular, (a) provides for suspending an employee where necessary in the interests of the safety or welfare of children, and (b) makes failure to report an incident of abuse or suspected abuse of a child, past or present, to the appropriate person a ground for disciplinary proceedings.
- **Regulation 33(3).** The 'appropriate person' is the registered person, an officer of HMCI (Ofsted), an officer of the local authority where the home is, or a police officer.
- **Acas Code of Practice on disciplinary and grievance procedures (2015).** The minimum standard of fairness. Tribunals take it into account. At the time of writing Acas has consulted on an updated Code, so check the current version.
- **Employment Relations Act 1999, section 10.** Workers have a statutory right to be accompanied at a disciplinary or appeal hearing by a fellow worker or a trade union representative or official.
- **Working Together to Safeguard Children 2026, paragraphs 260–266.** Allegations against people who work with children must be reported to a senior manager straight away and to the LADO within one working day. Regulated activity providers have a legal duty to refer to the DBS when the conditions are met, and it is an offence not to without good reason.

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