



DISCIPLINARY AND GRIEVANCE PROCEDURES POLICY

Policy Statement

In the event of any minor disagreements among pre-school staff, or between staff and the Pre-school Management Committee, these can usually be resolved at the regular staff meetings, management meetings, Management Committee meetings, or informally by discussion.

A more serious situation arises when a dispute cannot be resolved, or when the committee or Play Leader is dissatisfied with the conduct or activities of a member of staff.

Disciplinary Procedure

A. Any disciplinary matter will normally be dealt with using the following procedure

At every stage the member of staff should be given reasonable notice that a disciplinary hearing is due to take place to give him / her opportunity to prepare his / her case and s/he should be offered the opportunity to be accompanied by a colleague or union representative if s/he wishes. The disciplinary panel will consist of the Chair and two nominated Management Committee members who should ensure that confidentiality is maintained within the panel group.

The member of staff will be interviewed by the disciplinary panel who will explain the complaint.

The member of staff will be given full opportunity to state his/her case.

After careful consideration by the disciplinary panel, there will be 5 possible courses of action.

1. No action taken

2. Verbal Warning; if a warning is considered to be appropriate, the member of staff needs to be told:

- a) what action should be taken to correct the conduct
- b) that s/he will be given reasonable time to rectify matters
- c) what training needs have been identified, with timescales for implementation
- d) what mitigating circumstances have been taken into account in reaching the decision
- e) that if s/he fails to improve then further action will be taken

- f) that a record of the warning will be kept, and
- g) that s/he may appeal against the decision within a limited time period

3. Formal written warning

If the member of staff fails to correct his/her conduct and further action is necessary. Or if the original offence is considered too serious to warrant an initial oral warning.

- a) The member of staff will be interviewed by the disciplinary panel who will explain the complaint, and s/he will be given the opportunity to state his/her case (reasonable time must be allowed for the member of staff to prepare his/her case).
- b) If a further formal warning is considered to be appropriate, this will be explained to the member of staff and a letter confirming this decision will be sent to the member of staff.
- c) The letter will:
 - i. Contain a clear reprimand and the reasons for it
 - ii. Explain what corrective action is required and what reasonable time is given for improvement
 - iii. State what training needs have been identified, with timescales for improvement
 - iv. Make clear what mitigating circumstances have been taken into account in reaching the decision
 - v. Warn that failure to improve will result in further disciplinary action which could result in a final written warning and, if unheeded, ultimately to dismissal with appropriate notice; and,
 - vi. Explain that s/he has a right to appeal against the decision within a limited time period that is clearly stated.

4. Final written warning

If the member of staff fails to correct his/her conduct and further action is necessary, or if the original offence is considered too serious to warrant any initial warnings.

- a) The member of staff will be interviewed by the disciplinary panel who will explain the complaint, and s/he will be given the opportunity to state his/her case. (Reasonable time must be allowed for the member of staff to prepare his/her case)
- b) If a final warning is considered to be appropriate, this will be explained to the member of staff and a letter confirming this decision will be sent to the member of staff.
- c) The letter will:
 - i. Contain a clear reprimand and the reasons for it
 - ii. Explain what corrective action is required and what reasonable time is given for improvement
 - iii. State what training needs have been identified, with timescales for improvement
 - iv. Make clear what mitigating circumstances have been taken into account in reaching the

decision

- v. Warn that failure to improve will result in further disciplinary action which could result in a final written warning and, if unheeded, ultimately to dismissal with appropriate notice; and,
- vi. Explain that s/he has a right to appeal against the decision within a limited time period that is clearly stated.

If the progress is satisfactory within the time given to rectify matters, the record of warnings in the individual's file will be destroyed.

5. Dismissal

If the member of staff still fails to correct his/her conduct, then:

- a) the member of staff will be interviewed as before; and
- b) if the decision is to dismiss, the member of staff will be given notice of dismissal, stating the reasons for dismissal and giving details of the right to appeal.

B. Suspension

If the circumstances appear to warrant instant dismissal, a member of staff may be suspended with pay while investigations are being made. These should consist of obtaining written statements from all witnesses to the disciplinary incident and from the member of staff who is being disciplined. Obviously these investigations should be carried out within as short a time as possible.

Instant dismissal is possible only in circumstances of gross misconduct. Examples of such misconduct would be:

- a) theft or fraud
- b) ill-treatment of children
- c) assault
- d) malicious damage
- e) gross carelessness which threatens the health and safety of others; or
- f) being unfit through the use of drugs or alcohol

Otherwise, a member of staff should not be dismissed without the appropriate warnings.

C. Appeals

At each stage of the disciplinary procedure the member of staff must be told s/he has the right to appeal against any disciplinary action, and that the appeal must be made in writing to the Chair of the Pre-school Management Committee within five days of a disciplinary interview. The appeal hearing should be heard, if possible within 10 days of receipt of the appeal.

Two or three Management Committee members – not, if possible, those involved in the initial disciplinary procedures – will serve as an Appeals Committee.

- a) The member of staff will explain why s/he is dissatisfied and may be asked questions
- b) The leader, or chair, will be asked to put his/her point of view and may be asked questions.
- c) Witnesses may be heard and may be questioned by the Appeals Committee and by the member of staff and the leader or chair.
- d) The Appeals Committee will consider the matter and make known its decision.

A written record of the meeting will be kept.

Grievance Procedure

If a member of staff is dissatisfied s/he must have the opportunity for prompt discussion with her/his immediate line manager, most likely the Play Leader. For the Play Leader, this would normally be the Chair of the Pre-school Management Committee. If the grievance persists, a Management Committee Panel should be set up for the purpose of further discussion, at which the member of staff may, if s/he wishes, be accompanied by a colleague.

There must be a right of appeal to the full Pre-school Management Committee. The member of Staff's colleague or trade union official may be present.

The aim of the grievance procedure is to settle the grievance fairly and as near as possible to the point of origin. It is intended to be simple and rapid in operation.

This policy was formulated in consultation with staff and the Management Committee of Neston Pre-school Playgroup and was formally adopted at a committee meeting held on 19 / 9 / 2016. It was reviewed and updated on 09/10/2018.

Signed on behalf of the Management Committee:

Print Name Helena Blamire-Brown

Role of Signatory Chairperson

Date to be reviewed June/July 2019