



## **Staff Disciplinary and Grievance Policy**

St Marks Pre-school aims to support a happy working environment for the practitioner team. It is recognised that minor disagreements may arise within the practitioner team, or between practitioners and the Pre-school Committee. It is anticipated that the majority of these can be resolved informally by discussion, and outside the remit of disciplinary or grievance procedures.

If a dispute cannot be resolved informally, or if the Pre-school Committee is dissatisfied with the conduct or activities of any employee, a staged disciplinary procedure will be implemented. Employees will not be dismissed without appropriate warnings unless it is an extreme circumstance or because of gross misconduct. Instant dismissal is possible if an employee is implicated in:

- theft or fraud
- ill-treatment of children
- assault
- malicious damage
- gross carelessness that threatens the health and safety of others.

### **Stages in the disciplinary procedures**

Any disciplinary matter will normally be dealt with in three stages:

- informal meeting
- written warning
- notice of dismissal.

A colleague or trade union representative may accompany the employee at each stage if the employee wishes, and that colleague/trade union representative may speak on his/her behalf.

### **Informal meeting**

This provides an opportunity for the Pre-school Committee to share concerns about the conduct of a member of the practitioner team. Either the Pre-school Manager and a committee member or two members of the committee will take part in the meeting. The employee will be given full opportunity to state their case.

The meeting will include:

- Detailing the concerns and, if relevant, how these relate to the employee's contract and job description.
- Action that should be taken to correct the conduct.
- Clarity around further action that will be taken if the employee fails to improve their conduct.
- A record of the meeting, with one copy kept on file and another given to the employee.

If the employee fails to correct their conduct and further action is necessary more formal procedures will begin.

### **Written warning**

#### **STEP 1**

If the Pre-school Committee is considering disciplinary action or dismissal this will be put in writing and a copy provided for the named employee. The letter will detail a written explanation of the conduct, capability or other circumstances that have led to consideration of disciplinary action or dismissal.

#### **STEP 2**

A meeting will be arranged to discuss the issue and both parties will take all reasonable steps to attend. The employee has the right to be accompanied by a colleague or other suitable representative and to state their case. A written record of the meeting will be made. Following this the Pre-school Chair or Staff Representative will inform the employee of the outcome, e.g. disciplinary action. The employee will be offered the right to appeal.

If the need for disciplinary action is established, a letter will be sent to the employee immediately. The letter will contain:

- a clear reprimand and reasons for this
- explanation of the corrective action that is required and a reasonable time for this improvement
- a warning that failure to improve will result in further action
- an explanation that the employee may appeal against the decision.

If the employee still fails to correct their conduct then the employee will again be interviewed and given the opportunity to state their case.

#### **STEP 3**

At each stage of the disciplinary procedure the employee will be told they have the right to appeal against any disciplinary action. This appeal must be made in writing to the Chair of the Pre-school Committee within five days of the disciplinary interview. The Pre-school Committee will normally hear the appeal. It will be heard as soon as possible. The employee will be told the final decision after this meeting.

### **Appeals procedure**

Appeal meetings will be informal and the employee may take a colleague or trade union representative to speak for them. The meeting format will include:

- an opportunity for the employee to explain why they are dissatisfied. The employee may be asked questions
- the Pre-school Committee putting their point of view. The committee may be asked questions
- witnesses who may be heard and may be questioned by the committee or the employee.

The employee will be given the final decision after the meeting. A written record of the meeting will be made, with a copy being kept and another shared with the employee.

**Employment tribunal**

If the employee is not content with the outcome of an appeal they may seek redress at a tribunal.

**Suspension**

If circumstances appear to warrant instant dismissal, an employee may be suspended while investigations are made.

**Notice of dismissal**

If the decision is made to dismiss, the employee will be given notice of the dismissal, stating the reasons for dismissal and giving details of the right to appeal.

**Grievance procedure**

If an employee has an unresolved or serious grievance this should be put in writing and a copy addressed to both the Pre-school Manager and the Chair of the Committee. This letter should contain a written explanation of the grievance and state the basis for the complaint.

An opportunity will be provided to meet and discuss the issues (as detailed in individual contracts).

A colleague or trade union representative may accompany the employee at each stage if the employee wishes, and that colleague/trade union representative may speak on their behalf.

The employee will be given full opportunity to state their case.

This policy was adopted at a meeting of the pre-school held on ..... (date)

Signed on behalf of the pre-school .....

Also see: Employment  
Staffing

Safeguarding