



DISCIPLINARY & GRIEVANCE POLICY

Aim

The aim of the procedure is to settle grievances fairly and as quickly as possible after the incident. It is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance and job performance. Buckles and Bows is committed to ensuring that all staff at the nursery should be treated in a fair, consistent and sensitive way.

Minor Disagreements

Minor disagreements among staff, or between staff and committee can usually be resolved at the regular staff meetings or informally by discussion.

Disciplinary Procedure

A more serious situation arises when a dispute cannot be resolved, or when the manager is dissatisfied with the conduct or activities of an employee/committee member.

Misconduct which may warrant action under the appropriate stage of the disciplinary procedure includes:

- Poor timekeeping or persistent lateness
- Unauthorised absence from work
- Wilful failure to comply with a reasonable instruction from a member of senior management.
- Persistent minor breaches of health and safety requirements
- Foul or abusive language

The list is not exclusive or exhaustive and there may be other matters, which are sufficiently serious to warrant categorisation and consideration as either 'misconduct' or 'gross misconduct'.

The following process will be followed to ensure everything is clear and unhidden, providing a fair process for both employer and staff with minimum disruption to the Nursery. At every stage the employee will be given reasonable notice (5 days) that a disciplinary hearing is due to take place to give them the opportunity to prepare their case, they should be given the opportunity to be accompanied by a member of staff or union representative should they wish to do so.



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The disciplinary panel in a committee-run group should consist of the Pre-school Chair and two nominated colleagues, and the setting manager if appropriate who should ensure that confidentiality is maintained within the panel.

Disciplinary matters will be dealt with in three stages

- Verbal warning
- Written warning
- Notice of dismissal

Verbal Warning

1. The employee will be interviewed by the panel and the complaint explained.
2. The employee will be given the opportunity to fully explain his/her case.
3. After careful consideration by the panel and if a warning is considered to be appropriate, the employee will be:
 - Told what action should be taken to correct the conduct.
 - Given a reasonable amount of time to rectify matters.
 - Given appropriate training if such needs have been identified, and given time to implement.
 - Informed of any mitigating circumstances that have been taken into consideration when reaching the decision.
 - Given a warning that if improvements are not made further action will be taken.
 - Informed that a record of the warning will be kept for 3 months and after that period will be considered spent – subject to achieving and sustaining satisfactory performance.
 - Informed that they may appeal against the decision within 5 days

Written Warning

If the employee fails to correct his/her conduct and further action is necessary, or if the original offence is considered to warrant a formal written warning:

1. The employee will be interviewed by the disciplinary panel who will explain the complaint and give the employee the opportunity to state his/her case. (Again, reasonable time must be allowed for the employee to prepare his/her case).



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2. If a further formal warning is considered to be appropriate, this will be explained to the employee and a letter confirming this decision will be sent to the employee
3. The letter will:
 - Contain a clear reprimand and the reason for it.
 - Explain what corrective action is required and what reasonable time is given for improvement.
 - State what training needs have been identified, with timescales for implementation.
 - Make clear what mitigating circumstances have been taken into account in reaching the decision.
 - Warn that failure to improve will result in a final written warning and, if unheeded, ultimately to dismissal with appropriate notice.
 - Explain that he/she has the right to appeal against the decision within 5 days.

Final Written Warning

If further action is necessary the employee will be interviewed and given the opportunity to state his/her case within 1 week.

A disciplinary action letter will be sent to the employee.

- The letter will contain the reason for the reprimand.
- Explain the corrective action required and the time given to improve.
- Training needs that have been identified and the timescales for the implementation.
- Warn that if improvements are not made in the time given further disciplinary action will be taken which could result in dismissal.
- Explain that an appeal could be made against the decision within 5 days.

Dismissal

If the employee still fails to make the agreed improvements then the employee will be interviewed as before and if the decision is to dismiss, you will be given notice of dismissal in writing explaining the alleged misconduct that led to that decision and giving details of the right to appeal.

Suspension



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If the circumstances appear to warrant instant dismissal the employee may be suspended with pay while investigations are being made. Written statements from the employee and from all witnesses to the disciplinary incident will be obtained. These investigations will be carried out within as short a timescale as possible.

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

- Theft or fraud
- Ill treatment of children
- Assault
- Malicious damage
- Gross carelessness which threatens the health and safety of others
- Being unfit through use of drugs or alcohol.

Otherwise, an employee would not be dismissed without the appropriate warnings

Appeals

At each stage of the disciplinary procedure the employee has the right of appeal and that appeal must be made in writing to the Manager and Chairperson of the Committee.

The employee may have a friend/colleague or trade union official to speak for them.

- The employee will state why they are dissatisfied and may be questioned.
- The Manager and Chair will be asked for their point of view and may be asked questions.
- Witnesses may be heard and questioned by Appeals Committee and by an employee and Deputy Manager.
- The Committee will consider the matter and make its decision.
- A written record will be kept.

Grievance

If an employee has a complaint about their individual circumstances at work, then they are entitled to raise a grievance. Employee's grievances will be treated



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seriously and will be resolved as quickly as possible. The key steps for resolving a grievance are:

- Discuss ordinary day-to-day issues informally with your Manager through supervision meetings, or if necessary request a separate meeting. Where this is not possible, you should raise your concerns verbally to the Chair of the Committee, prior to raising a formal grievance.
- The manager and chair will invite the employee to a meeting to discuss the issue. A colleague may accompany them.
- The outcome of the meeting will be confirmed in writing.
- There will be a right of appeal to the full Pre-school Committee; again a colleague may accompany you if you wish.
- The employee will be invited to a second meeting to discuss the appeal.
- The final decision will be given in writing within 24 hours.

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

Position within group.....Chairperson.....

Review date.....15th August 2021.....