



The Secret Garden Pre-school  
Wellington Avenue  
Princes Risborough  
Bucks HP 27 9HY  
07759 582307

## Disciplinary and Grievance Procedure for Pre-school Employees.

### Minor Disagreements

Minor disagreements among pre-school staff, can usually be resolved at the regular staff management meeting or informally by discussion.

### Discipline Procedure

A more serious situation arises when a dispute can't be resolved, or when the manager or deputy is dissatisfied with the conduct or activities of an employee.

Any disciplinary matter will normally be dealt with using the following procedure. At every stage the employee should be given reasonable notice that a disciplinary hearing is due to take place to give them the opportunity to prepare their case, they should be offered the opportunity to be accompanied by a member of staff / union representative if they wish to do so.

The disciplinary panel will include usually manager or deputy to ensure confidentiality is being met for all parties.

### 1. Oral Warning

- The employee should be interviewed by the disciplinary panel that will explain the specific complaint.
- The employee will be given full opportunity to state their case.
- After careful consideration by the management and if the warning is considered to be appropriate, the employee needs to be told:
  - What action should be taken to correct the conduct.
  - That they will be given reasonable time to rectify matters.
  - What training needs have been identified, with timescales for implementation.
  - What mitigating circumstances have been taken into account in reaching the decision.
  - That if they fail to improve then further action will be taken.
  - That they may appeal against the decision within a limited period (5 days)

### 2. Formal Written Warning

- If the employee fails to correct their conduct and further action is necessary, or if the original offence is considered too serious to warrant an initial oral warning.
- The employee will be interviewed and given the opportunity to state their case. (Reasonable time must be allowed for preparation – 1 week)

- 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.
- The letter will:
  - Contain a clear reprimand and the reasons for it (specific and objective)
  - 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 further disciplinary action which could result in final written warning and if unheeded, ultimately to dismissal with appropriate notice.
  - Explain that they may appeal against the decision within a limited period (5 days)

### **3. Final Written Warning**

If the employee fails to correct their conduct and further action is necessary, or if the original offence is considered too serious to warrant any initial warnings.

- The employee will be interviewed and given the opportunity to state their case. (Reasonable time must be allowed for preparation – 1 week)
- If a further final 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.
- The letter will:
  - Contain a clear reprimand and the reasons for it (specific and objective)
  - 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 further disciplinary action, which could result in dismissal.
  - Explain that they may appeal against the decision within a limited period (5 days)

### **4. Dismissal**

- If the employee still fails to correct their conduct, then:
  - The employee will be interviewed as before.



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

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

### **Suspension:**

If the circumstances appear to warrant dismissal, an employee 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 employee who is being disciplined. Obviously these investigations should be carried out within as short a time as possible.

Instant dismissal is possible only in extreme circumstances of gross misconduct.  
Examples

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

In such circumstances, the deputy manager would be alerted immediately by phone. Otherwise, an employee should not be dismissed without appropriate warnings.

### **Appeals**

At each stage of the disciplinary procedure the employee must be told that they have the right to appeal against any disciplinary action, and that the appeal must be made in writing to the pre-school deputy manager (or manager if the person appealing is the deputy) within five days of the disciplinary interview.

The appeal hearing should be heard if possible, within ten days of receipt of the appeal.

The employee may take a colleague or trade union official to speak for them.



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- The employee will explain why they are dissatisfied and may be asked questions.
- The deputy manager (manager) and the chair will be asked to put their point of view and may be asked questions.
- Witnesses may be heard and may be questioned by the appeals committee and by the employee and deputy manager.
- The committee will consider the matter and make know its decision.

A written record of the meeting will be kept.

### **Grievance Procedure**

If an employee is dissatisfied they must have the opportunity for prompt decision with their immediate supervisor (Manager / Deputy Manager)

If the grievance persists a management panel should be set up for the purpose of further discussion, at which the employee may, if they wish be accompanied by a colleague.

There must be a right to appeal to the pre-school manager or in the case of the deputy a person who has not been contaminated by any of the previous dealings. At this level also, the employee's colleague or trade union may be present.

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

The pre-school adopted this policy on ...7<sup>th</sup> January 2011.....

By Hayley White

Signed on behalf of the staff..... *HWhite*.....