

SECTION 2

General Welfare Requirement: Suitable People

Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so.

EMPLOYMENT AND STAFFING

STAFF DICIPLINE

POLICY STATEMENT

Staff meetings are held every term. Should the need arise for more frequent meetings this will be arranged.

EYFS key themes and commitments

1.3 Keeping safe

2.4 Key person

3.2 Supporting every
child

Procedures

Minor disagreements

Minor disagreements among Pre School staff or between management and staff 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 owner is dissatisfied with the conduct or activities of an employee.

Any disciplinary matter will be dealt with using the following procedure; At every stage the employee will be given reasonable notice that a disciplinary hearing is due to take place to give him / her the opportunity to prepare his / her case, and she / he will be offered the opportunity to be accompanied by a colleague / friend if she / he wishes. The disciplinary panel should consist of the owners, and they will ensure confidentiality is maintained within the panel.

1. Oral warning

The employee will be interviewed by the disciplinary panel who will explain the complaint.

The employee will be given full opportunity to state his / her case.

After careful consideration by the disciplinary panel, and if the warning is considered to be appropriate, the employee will be informed:

What action will be taken to correct the conduct?

That she/he will be given reasonable time to rectify matters;

What training needs have been identified, with timescales for implementation;

That if she / he fails to improve then further action will be taken;

That a record of warning will be kept;

That she / he may appeal against the decision within a limited time period (5 days).

2. Formal written warning

If the employee 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.

The employee will be interviewed by the disciplinary panel who will explain the complaint and given the opportunity to state his / her case (reasonable time will be given to prepare his/her case).

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:

- a) contain a clear reprimand and the reasons for it;
- b) explain what corrective action is required and what reasonable time is given for improvement;
- c) state what training needs have been identified, with timescales for implementation;
- d) make clear what mitigating circumstances have been taken into account in reaching the decision;
- e) 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
- f) Explain that you have the right to appeal against the decision.

3 Final written warning

If the employee 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.

The employee will be interviewed and given the opportunity to state his / her case (time will be given to prepare the case).

If a 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;

- a) Contain a clear reprimand and the reasons for it;
- b) Explain what corrective action is required and what reasonable time is given for improvement;
- c) 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;
- e) 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
- f) Explain that you have the right to appeal against the decision.

4 Dismissal

if the employee still fails to correct his / her conduct, then;

You will be interviewed as before; and if the decision is to dismiss, you will be given notice of dismissal, stating the reasons for dismissal and giving details of the right to appeal.

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

Suspension

If the circumstances appear to warrant instant dismissal, you may be suspended without 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.

Instant dismissal is possible only in circumstances of gross misconduct; examples

- 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 use of drugs or alcohol.

Appeals

At each stage of the procedure you will be told you have the right to appeal against the action, and that the appeal must be made in writing to the preschool owner within 5 days of the interview. The appeal hearing should be heard, if possible within 10 days of receipt of the appeal. The appeal group will consist of the same people on the original panel, you the employee may take a colleague/friend to speak for you.

- a) you the employee will explain why you are dissatisfied and may ask questions
- b) the owner 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 employee and manager.
- d) The committee will consider the matter and make known its decision.

A written record of the meeting will be kept.

Policy updated January 2017

Policy no: 21b STAFF DISCIPLINE POLICY