

Safeguarding and Welfare Requirement: Information and Records

Providers must maintain records and obtain and share information to ensure the safe and efficient management of the setting, and to help ensure the needs of all children are met.

Parc Eglos Nursery: Disciplinary and Grievance Procedures for Employees

Policy statement

Stage 1

Minor Disagreements

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

Disciplinary Procedure

A more serious situation arises when a dispute cannot be resolved, or when the Governing Body is dissatisfied with the conduct or activities of the employee.

Any disciplinary matter will normally be dealt with using the following procedure. At every stage the employee should be given reasonable notice (7 days) that a disciplinary hearing is due to take place to give him/her the 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 Head teacher or Deputy Head teacher, the chair or vice chair of the Governing Body and one other member who will ensure that confidentiality is maintained within the panel.

Stage 2

Verbal 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 Governing Body, and if a warning is considered to be appropriate, the employee needs to be told by his/her line manager :
 1. What action should be taken to correct the conduct.
 2. That s/he will be given reasonable stated time to rectify the conduct.
 3. What training needs have been identified, with time scales for implementation.
 4. What mitigating circumstances have been taken into account in reaching the decision.
 5. That, if s/he fails to improve, further action will be taken.
 6. That a record of the warning will be kept.
 7. That s/he may appeal against the decision within a limited time (5 days).

Stage 3

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 warning:

- The employee will be interviewed and given the opportunity to state his/her case (reasonable time must be given for the employee to prepare his/her case).
- If a further warning is considered appropriate, this will be explained to the employee and a letter confirming this decision will be sent to the employee.
- The letter will:
 1. Contain a clear reprimand and the reason for it.
 2. Explain what corrective action is required and what reasonable time is given for improvement
 3. State what training needs have been identified, with time scales for implementation.
 4. Make clear what mitigating circumstances have been taken into account in reaching this decision.
 5. 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.
 6. Explain that s/he has a right to appeal against the decision

Stage 4

Final written warning

Repeat of Stage 3

Stage 5

Dismissal

If an employee still fails to correct his/her conduct then:

- the employee will be interviewed as before
- If the decision is to dismiss, the employee will be given notice of dismissal, stating the reasons for dismissal and giving 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 file will be destroyed.

Suspension

If the circumstances appear to warrant instant 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 scale as possible.

Instant dismissal is possible in only extreme circumstances of gross misconduct. Examples of such misconduct 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 drugs or alcohol.

Otherwise an employee should not be dismissed without appropriate warnings.

Appeals

At each stage of the disciplinary procedure, the employee must be told s/he has a right to appeal against any disciplinary action and that the appeal must be made in writing to the chair of the Governing Body within five days of a disciplinary interview. The appeal hearing should be heard, if possible, within ten days of receipt of the appeal. The appeal panel should consist of members of the Governing Body / Senior Leadership Team other than those involved in the earlier disciplinary stages if possible. If this is not possible, the same members may attend and they must make every effort to hear the appeal as impartially as possible. The employee may take a colleague or trade union official to speak for him/her.

- The employee will explain why s/he is dissatisfied and may be asked questions.
- The chair will be asked to put their point of view and may be asked questions.
- Witnesses may be heard and may be questioned.
- The panel will consider the matter and make known its decision.

A written record of the meeting will be kept.

This policy was adopted by

Parc Eglos Nursery

On

January 2015

Date to be reviewed

September 2021

Signed on behalf of the provider

Parc Eglos Nursery

Name of signatory

Mr Stewart Paterson

Role of signatory

Chair of Governors