



Spinney Pre-School Disciplinary and Grievance for Pre School Employees Procedure

In order to ensure the safety of all the children, the following procedures are used at the start and close of session.

Minor Disagreements

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

Disciplinary Procedure

A more serious situation arises when a dispute cannot be resolved, or when the Committee are 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 (5 days) that a disciplinary hearing is due to take place to give him/her the opportunity to prepare his/her case, and she/he should be offered the opportunity to be accompanied by a colleague or representative if she/he so wishes. The disciplinary panel will consist of the Pre-School Committee and two nominated colleagues, who will ensure that the confidentiality is maintained within the panel.

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 Committee and if the warning is considered to be appropriate, the employee will be told:
 - i. what action should be taken to correct the conduct that she/he will be given reasonable time to rectify matters
 - ii. what training needs have been identified, with timescales for implementation
 - iii. what mitigating circumstances have been taken into account when reaching the decision that if she/he fails to improve then further action will be taken that a record of the warning will be kept
 - iv. that she/he may appeal against the decision within a time period (5 days).

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:

1. The employee will be interviewed and given the opportunity to state his/her case. (Reasonable time will be allowed for the employee to prepare his/her case.)
2. If a further formal written warning is considered 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 reasons for it.
 - explain what corrective action is required and what a reasonable time for improvement is
 - state what training needs have been identified, with timescales for implementation
 - make clear what mitigating circumstances have been taken into account when reaching the decision
 - 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.
 - Explain that she/he may appeal against the decision within a time period (5 days).

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:

1. The employee will be interviewed and given the opportunity to state his/her case. (Reasonable time will be allowed for the employee to prepare his/her case.)
2. If a final written warning is considered 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 reasons for it.
 - explain what corrective action is required and what a reasonable time for improvement is

Dismissal

If the 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 will consist of obtaining written statements from all witnesses to the disciplinary incident and from the employee who is being disciplined. Obviously these investigations will be carried out thoroughly and instant dismissal is possible only in extreme circumstances of gross misconduct. Examples of such misconduct are:

1. Theft or fraud
2. Ill-treatment of children
3. Assault
4. Malicious damage
5. Gross carelessness which threatens the health and safety of others
6. being unfit through the use of drugs or alcohol

Otherwise, an employee should not be dismissed without the appropriate warnings.

Appeals

At each stage of the disciplinary procedure the employee will be told she/he has the right of appeal against any disciplinary action and that the appeal must be made in writing to the Pre School Chair within five days of a disciplinary interview. The appeal hearing will be heard, if possible, within 10 days of receipt of the appeal. The appeal panel will be made up of committee members, preferably not those involved in the earlier disciplinary stages. They will make every effort to hear the appeal as impartially as possible. The employee may take a colleague to speak for her/him.

1. The employee will explain why she/he is dissatisfied and may be asked questions.
2. The Pre-School Chair will be asked to put their point of view and may be asked questions.
3. Witnesses may be heard and may be questioned by the appeals panel, the employee and Pre-School Chair.
4. The committee will consider the matter and make known its decision
5. A written record of the meeting will be kept.

Grievance Procedures

If an employee is dissatisfied she/he will have the opportunity for prompt discussion with his/her immediate Supervisor. For the Supervisor this will be the Committee, for all other staff this will be the Supervisor. If the grievance persists, a management panel will be set up for the purpose of further discussion, at which the employee may, if she/he wishes be accompanied by a colleague.

There will be a right of appeal, to the full Pre-School Committee. At this level, the employee's colleague may be present.

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

This Policy was adopted at a meeting of the Pre-School held on (date) _____

Signed on behalf of the Pre-School _____