

## General Welfare Requirement: SUITABLE PEOPLE

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



## Employment

### 2.4 Grievance and Disciplinary

#### Aims

The aim of this policy is to illustrate how Nomansland Pre-School's Disciplinary and Grievance procedures are implemented within the setting and identify where and how the pre-school aims to protect children who attend, the employees and the pre-school itself from conflict and inappropriate behaviour.

#### Minor disagreements

Minor disagreements between pre-school staff or between staff and the business needs of the pre-school are usually resolved at regular staff meetings or during informal discussion.

#### Disciplinary procedure

A more serious situation arises when a dispute cannot be resolved informally, or when the pre-school committee is dissatisfied with the conduct or activities of an employee.

*Disciplinary matters will then be dealt with using the following procedure:*

- At every stage the employee will be given reasonable notice (at least five days) that a disciplinary hearing is due to take place in order to give them the opportunity to be accompanied by a colleague or union representative if they wish.
- The employee will be advised of the nature and details of the complaint to allow them to prepare their case.
- A written record of all meetings will be kept.

Any disciplinary matter will normally be dealt with in four stages;

- A verbal warning
- A written warning
- A final written warning
- Notice of dismissal

Disciplinary matters will then be dealt with using the following procedure:

**1) If a verbal warning is to be given**

- The employee should be interviewed by the Pre-school Manager and Committee Chair who will explain the complaint. The employee will be given full opportunity to state his/her case. If the warning is still considered to be appropriate, the employee will be told:
  1. What action should be taken to correct the conduct
  2. That s/he will be given reasonable time to rectify matters
  3. That if s/he fails to improve then further action will be taken
  4. That a record of the warning will be kept
  5. That s/he may appeal against the decision

**2) If the employee fails to correct his/her conduct and further action is necessary:**

**Written warning**

The employee will be interviewed and given the opportunity to state his/her case, as before,  
If the need for disciplinary action is established, a letter will be sent to the employee immediately

The letter will;

1. Contain reasons for the written warning giving clear evidence.
2. Explain what corrective action is required and that reasonable time will be given for improvement
3. Warn that failure to improve will result in further action
4. Explain that s/he may appeal against the decision

**3) If the employee still fails to correct his/her conduct then:**

The employee will again be interviewed and given the opportunity to state his/her case, as before. A final written warning will be issued. Then if the employee still fails to correct his/her conduct and a decision is made to dismiss, the employee will be given notice of the dismissal, stating the reasons for dismissal and giving details of the right to appeal.

## **Appeals**

At each stage of the disciplinary procedure the employee must be told s/he has the right to appeal against any disciplinary action, and that the appeal must be made in writing to the Pre-school Committee Chair within five days of a disciplinary interview. The Pre-school committee will normally hear the appeal, and it will be heard as soon as possible. The procedure will be formal and the employee may take a friend or Trade Union Representative to speak for him/her.

- a. The employee will explain why s/he is dissatisfied and may be asked questions
- b. The Pre-School Manager and Committee Chair will be asked to put their point of view and may be asked questions
- c. Witnesses may be heard and may be questioned by the Committee Chair, the employee, and Pre-school manager.
- d. The Appeals Committee will consider the matter and make known its decision

If the employee remains dissatisfied s/he may appeal to Pre-School Learning Alliance.

## **Suspension**

If the circumstances appear to warrant instant dismissal, an employee may be suspended while investigations are made.

## **Instant dismissal**

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

Instant dismissal is possible only in extreme circumstances or as a result of gross misconduct.

Examples of gross misconduct would be:

- Theft or fraud
- Ill-treatment of children
- Assault
- Malicious damage
- Gross carelessness, which threatens the health and safety of others.

This list is not exclusive.


Otherwise an employee will not be dismissed without the appropriate warnings.

## **Grievance procedure**

If an employee is dissatisfied they must have the opportunity for prompt discussion with their immediate superior. For the Pre-school manager this would be the Committee Chair.

There must be a right of appeal, in the first instance to the Pre-school Committee at which the employee's friend or Trade Union representative may again be present.

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

<b><i>This policy was originally adopted at a meeting of Nomansland Pre-school</i></b>	
<b><i>Held on</i></b>	<b><i>15 June 2010</i></b>
<b><i>Last review/update approved</i></b>	<b><i>May 2018</i></b>
<b><i>Date to be reviewed</i></b>	<b><i>May 2019</i></b>
<b><i>Signed on behalf of the management committee</i></b>	
<b><i>Name of signatory</i></b>	<b><i>Nikola Bishop</i></b>
<b><i>Role of signatory</i></b>	<b><i>Chair</i></b>