

Ravenside Pre-School

DISCIPLINARY

General Legal Requirements

- *All of the General Legal Requirements are covered in this procedure.*

Disciplinary procedure

1. At all stages the employee will be told what the complaint is against them and the range of possible sanctions that may be taken. The first step in the disciplinary process will be for the employees' line manager to meet the employee informally to discuss the conduct or performance in question. The outcome of the meeting may one of the following -

a) No further action to be taken;

Or

b) A disciplinary hearing may be held and the outcome of this meeting could be any of the following –

a. No further action to be taken;

b. An oral warning. This will be noted in the employees work records;

c. A written warning. A note of this will be placed with the employees work records, where it will remain for six months.

2. At any hearing or disciplinary meetings, they have the right to be accompanied by a member of staff of their choice, and both will have the right to ask questions and present evidence.

3. The line manager will explain what will happen if there are future problems or if performance does not improve. If the problem is performance related, the employees manager will explain what the employee must do in order to improve. The Capability Policy and Procedures may be activated.

d. A final written warning;

e. Referral of the matter to senior management to consider termination.

4. If a referral to consider termination of employment is made, the employee will be informed in writing of the date of the hearing, the allegations against them, and the possible disciplinary sanctions that may be taken within seven days of the referral being made. The date of the hearing will, as far as is possible, be not more than 14 days from the notice being given.

5. If gross misconduct is suspected, the employee will be suspended on full pay while the matter is investigated by a panel comprising of members of the settings senior management. Any such investigations will take place wherever possible within 14 working days of the employees suspension. In allegations of gross misconduct the member of staff may be suspended immediately without having a previous verbal or written warning.

6. The employee will have the right to attend a meeting with the panel, and will have the right to representation as set out in stage two of capability procedure.

7. The employee will be informed of the date of the hearing, the allegations against them and the possible sanctions that may be taken.

8. Following the investigation the panel may decide on the following -

a) To terminate the contract;

b) To impose any other disciplinary sanction;

c) To take no further action.

9. In all cases the employee has the right of appeal to a panel of senior management. If it is possible, the person who hears the appeal will not be the person who took the original decision.

10. The employee must give notice in writing of their intention to appeal, stating the grounds for the appeal, within seven working days of the decision being made.

11. An appeal will be heard, wherever possible, within 14 days of the employees notice being given. The appeal may confirm, alter or reject the original decision.

12. The employee has the right to be accompanied to this hearing (as paragraph 2).

13. The following are examples of the type of behaviour that could be deemed gross misconduct (this is not an exhaustive list) -

- Racist or sexist behaviour
- Racial or sexual harassment
- Drunkenness
- Drug taking
- Violence
- Aggressive behaviour towards adults or children
- Dishonesty
- Bullying
- Not following policies and procedures where this is likely to put others in situation of danger.
- Persistent failure to comply with reasonable requests or instructions of management
- Bringing the organisation into disrepute

Agreed on

Reviewed on