

SAFEGUARDING & WELFARE REQUIREMENTS: Providers must ensure that staff looking after children are suitable to fulfil the requirements of their roles. Providers must have effective systems in place to ensure that staff is suitable.



Disciplinary and Grievance Procedure for Employees:

This procedure is designed to help and encourage all employees to achieve and maintain standards of conduct, attendance, and job performance. Rotherfield Village Pre-School is committed to ensuring that all staff at pre-school should be treated in a fair, consistent and sensitive way.

7 Key features of effective practice

The best for every child	High quality care	The Curriculum	Pedagogy	Assessment	Self-regulation and executive function	Partnership with Parents
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1007446/6.7534 DfE Development Matters Report and illustrations web 2 .pdf						

Minor disagreements:

Informal action will be considered, where appropriate, to resolve minor disagreements amongst practitioners. This can be achieved at a regular staff supervision meeting or informally by discussion.

Disciplinary Procedure

- The pre-school strives to establish an enterprise committed to the highest standards of quality, productivity, and competitiveness.
- The pre-school seeks to attract, retain, and motivate quality people by providing an effective working environment, which supports quality results.
- To this end the pre-school believes in the importance of clearly communicating the performance standards and behavioural conduct that are expected of all employees.
- Where conduct or performance falls below the acceptable standard, the disciplinary procedure set out below will be used.
- This procedure does not form part of employees' terms and conditions of employment and may be subject to change at the discretion of management and may be disregarded or departed from at the absolute discretion of management.
- Management is responsible for maintaining behaviour and performance standards and discipline throughout the business.
- Employees are responsible for their own actions and for abiding by pre-school rules and policies.
- Counselling will take place in an appropriate location using external support as necessary.

The following principles will apply at all stages of the disciplinary procedure:

- Minor cases of misconduct and poor performance may be dealt with informally through advice, coaching, re-training and counselling and not through the formal disciplinary procedure.
- No disciplinary action will be taken until a case has been subject to a full and separate investigation.
- At every stage an employee will be advised of the nature of the complaint against them in writing and the evidence to support such allegations, prior to disciplinary proceedings being taken. In certain circumstances, this principle may be modified to maintain the confidentiality of witnesses, as appropriate in the circumstances of the case. The employee will be issued with copies of evidence and/or notes of proceedings as appropriate.
- An employee will be given full opportunity to state their case.
- At every formal stage where a decision is taken that may result in disciplinary action being taken or appealed an employee will have the right to make a reasonable request to be accompanied. All requests for a companion must be reasonable, for example, if an employee requests a companion and there may be the appearance of a conflict of interest arising, or the requested companion cannot attend within a reasonable time, that request may be refused. Everyone asked to be a companion may decline to do so if they wish, but any employee acting as a companion has the right to be paid normally for the time spent in work as a companion. If the chosen companion is a Trade Union representative, the pre-school will normally liaise with the Trade Union to verify the credentials of the Companion. Please also refer to 4.12.
- An employee will not normally be dismissed for a first disciplinary offence except in the case of gross misconduct. Certain situations may arise where dismissal is necessary to maintain standards in the workplace or to ensure confidence in the pre-school's reputation is maintained. Employees in the first two years of employment may be dismissed with notice at any time if their continued employment is not beneficial to the pre-school.
- Disciplinary decisions will be confirmed in writing.
- An employee has the right to appeal against a disciplinary decision.

Disciplinary Levels

- **First Formal Warning**
For minor offences or if conduct or performance does not meet acceptable standards, a First Formal Warning is given by the employee's immediate manager, or other nominated manager, and confirmed in writing.
- **Second Formal Warning**
For more serious offences, or if conduct or performance does not improve, or if different or more serious problems arise, a Second Formal Warning is given by the employee's immediate manager, or other nominated manager, and confirmed in writing.
- **Final Formal Warning**

For offences of serious misconduct, or if conduct or performance does not improve, or if different or more serious problems arise, a Final Formal Warning is given by the employee's immediate manager, or other nominated manager, and confirmed in writing.

- **Dismissal with Notice**

If despite a Final Formal Warning, conduct or performance does not improve, or if different or more serious problems arise, the employee will be dismissed with notice by their immediate manager. The pre-school, at its discretion, may dismiss the employee with pay in lieu of notice as an alternative to dismissal with notice.

Alternatives to dismissal available to the manager hearing the case include a Final Warning and:

- Demotion and/or reduction in rate of pay

In some circumstances, being charged, investigated or prosecuted for an alleged criminal act may result in a situation where continued employment with the pre-school would not be acceptable, due to the impact on the pre-school's reputation, legislation or difficulties with carrying out the employee's duties, or working with other employees. There may also be situations where a major pupil refuses to deal with an employee, rendering future employment difficult. In such circumstances, even if the employee is not actually at fault, the continued employment relationship may not be viable and dismissal with notice may have to be considered on account of a substantial reason arising from that situation.

In disciplinary interviews where dismissal is a possible outcome, a representative from the senior management will ordinarily be present.

For further information please refer to your Employees Handbook.

This Policy was reviewed by	Shereen Milledge – Manager
Adopted by	Rotherfield Village Pre-School Directors
Date	November 2022
Review Date	November 2023 or before if required

Review Log

Review Date	Brief Details of Amendments	Amended By	Agreed By
December 2020	This is the first draft.	Sandra Cawsey	Rotherfield Pre-School Staff & Directors
November 2021	None required	Shereen Milledge	Rotherfield Pre-School Staff & Directors

November 2022	None required	Shereen Milledge	Rotherfield Pre-School Staff & Directors
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