

Little Bears Preschool

Grievance and Disciplinary Policy

Aims and scope of the policy

This policy deals with grievances and disciplinary issues arising within the Preschool in the context of the employment of staff. These procedures are intended to ensure the rapid and effective resolution of disputes, whenever possible by amicable discussion, within a framework of law. Nothing in these procedures should be taken as infringing anybody's statutory rights.

We are committed to ensuring that any aggrieved employee has the right to a fair hearing conducted by the management regarding their work, or about the actions of their colleagues, customers or clients.

GRIEVANCE PROCEDURE

Informal Procedure

Employees are encouraged to resolve any grievances in the work place informally by discussing the matter with the setting's manager, who may be able to resolve the situation directly and efficiently. Both parties should be mindful of confidentiality and discussions should take place in a private area. If, as a result of the discussion with the Manager, both parties are unable to come to an arrangement then, the employee, if still aggrieved, is advised to discuss the matter with the Chair of CIO.

In the course of these discussions it is advisable for both parties to make a note of the proceedings. Only if this process is not effective in reaching a solution acceptable to both parties should the following procedures be applied.

Formal Procedure

1. Unless the Manager is involved in the grievance as the complainant or subject of complaint, grievances involving members of staff should be raised verbally with the manager, who will use her / his best endeavors to resolve the grievance amicably and as quickly as possible by discussion with all those concerned.
2. If the grievance appears to raise a disciplinary issue, then this will be investigated and dealt with as detailed in this Disciplinary Procedure.
3. In the absence of a disciplinary issue, if a solution, which is agreeable to all parties, cannot be reached by informal discussion, the next stage is for the aggrieved person to refer the grievance in writing to the Chair of CIO.
4. Grievances involving the preschool Manager or a member of the CIO other than the Chair of CIO should be referred, in writing, to the Chair. If the Chair is unable to resolve the issue personally, then she/he will convene a Disputes Panel comprising three members of the Committee, at not less than 48 hours or more than one week's notice.
5. Any party to the grievance will have the right to attend and speak, without the right to vote, at any meeting of the CIO where the matter is to be discussed, and to be accompanied by a friend who may speak on his /her behalf, without the right to vote.
5. The decision of the Disputes Panel will be communicated in writing to the parties of the grievance by the Chair of the panel, together with notice of their rights to appeal.
6. All those involved in grievance procedures, whether as parties, investigators or governing body members, should maintain the confidentiality of the process and should not divulge conversations or documents to those not directly concerned.

Disciplinary procedure

1. Any conduct by an employee or member of the governing body which fails to conform to legal requirements, contractual agreements, established working practices or the policies of the preschool, or which brings the organisation into disrepute, may be subject to disciplinary procedure.
2. Instances of such behaviour should be reported to the Preschool Manager. Where the Manager is the complainant or the subject of complaint, reports should be made to the Chair. Where a member of the CIO is the subject of the complaint, the Preschool Manager will consult the Chairperson. Where the Chairperson is the subject of complaint, the Preschool manager will consult the other members of the board.
3. Following investigation of the incident, the Manager or Chair, as appropriate, will, if necessary, deliver a verbal warning which makes clear the nature of the unacceptable behaviour, and the required behaviour with any relevant date for compliance. This verbal warning will be recorded, and dated.
4. If necessary, the verbal warning will be followed by a written warning signed by the Manager or Chair, which will clearly state the unacceptable behaviour, the improvement required and state any action to be taken by other staff or board members in support of this improvement. A time scale for implementation and review must be stated.
5. If this review does not see the situation satisfactorily resolved, a further written warning may be issued.
6. If the problem persists after two written warnings, in the case of an employee, procedure for dismissal, without notice may follow.
7. In the case of a governing body, procedure for termination of membership may in some circumstances follow.
8. All those involved in disciplinary procedures, whether as parties, investigators or members of the governing body, should maintain the confidentiality of the process and should not divulge conversations or documents to those not directly concerned.

Behaviour reported to Manager/Chair

-

Investigation started

-

Verbal warning issued

-

1st Written Warning issued

-

2nd Written Warning issued

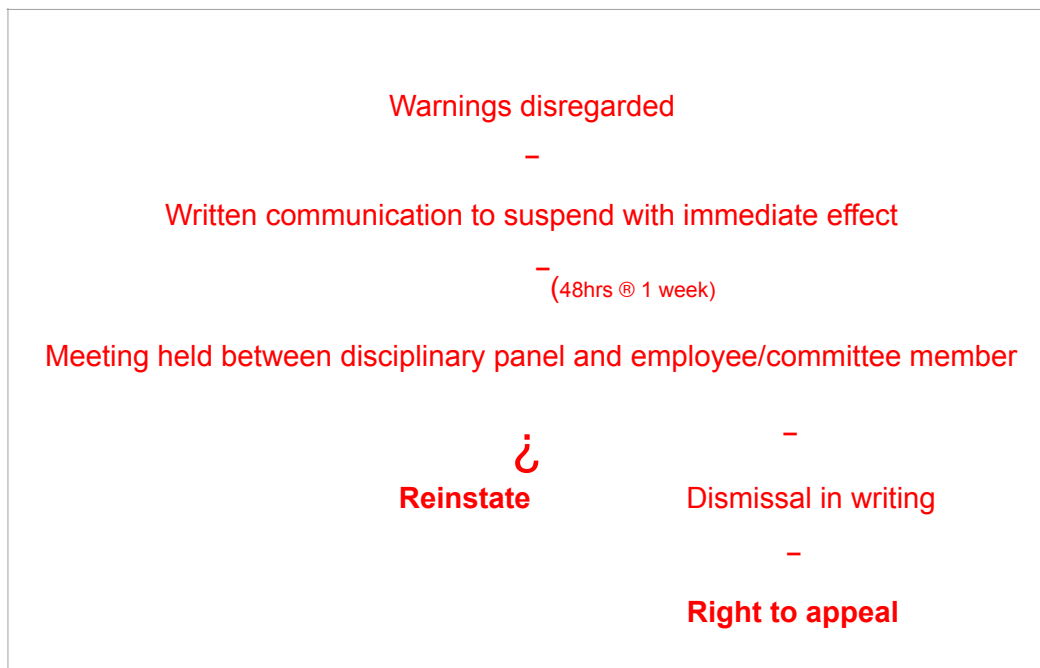
-

Procedure for dismissal

DISMISSAL WITHOUT NOTICE

If two or more written warnings are disregarded, or in case of proven serious misconduct (see below), procedure for dismissal of an employee without notice may commence as follows:

1. The manager, or if necessary the Chair, will communicate in writing to suspend the employee from duty with immediate effect without loss of pay, where appropriate.
2. A Disciplinary Panel comprising three members of the governing body will meet not less than 48 hours or more than one week after the suspension notice is received.
3. The employee shall have the right to attend and speak at this meeting, without the right to vote, and to be accompanied by a friend who may also speak on her / his behalf, without the right to vote.
4. At this meeting, the Disciplinary Panel may decide to re-instate, with or without conditions, or to dismiss the employee with immediate effect. Any decision of the meeting will be given to the employee in writing, signed by the Chair.
5. Notice of dismissal, if applicable, will be in writing and signed by the Chairperson. It will give a clear statement of the reasons for dismissal, a summary of the events leading up to dismissal, and a notice of right to appeal.
6. Examples of serious misconduct include, but are not limited to, the following:
 - Any form of abuse of a child
 - Any deliberate or negligent act, or failure to act, which places a child at risk of significant harm
 - Concealment or falsification of information relevant to Disclosure and Barring Service (DBS) checks.
 - Any form of harassment, abuse or violence to anybody associated with the pre-school or its partners.
 - Any serious dishonesty or deliberate damage involving property or premises of the pre-school
 - Any behaviour that seriously damages the good reputation of the pre-school or its staff.
7. All those involved in dismissal procedures, whether as parties or investigators should maintain the confidentiality of the process and should not divulge conversations or documents to those not directly concerned.



APPEALS

1. Following any Disputes Panel decision, verbal or written disciplinary warning, termination of membership or dismissal, an appeal may be made by the person affected.
2. Notice of intention to appeal must be delivered in writing to the Manager or Chair not more than five working days after the issuing of the decision, warning, termination or dismissal against which appeal is to be made. The manager or Chair will then convene an Appeal Panel comprising three CIO Members, at not less than 48 hours or more than one week's notice.
3. Members of the Governing body involved in the original decision / warning / termination/ dismissal may not be members of an Appeal Panel.
4. At any appeal hearing, the appellant will be entitled to attend and speak, without the right to vote, and to be accompanied by a friend who may speak on her / his behalf, without the right to vote.
5. The decision of the Appeal Panel will be communicated in writing to the appellant by the Chair and will be final within the preschool. Any further appeal may be made only to an authoritative outside body agreed by both parties or as prescribed by law.
6. All those involved in appeals procedures, whether as parties or, should maintain the confidentiality of the process and should not divulge conversations or documents to those not directly concerned.

This Grievance and Disciplinary procedure will be reviewed by the Chair at intervals of not more than three years but will be updated, should the need arise, during proceedings that have used his procedure.

Approved.....: (Chair of CIO signature)

Adopted on

