



# Waltham Pre-School

## Disciplinary Procedure

If you wish to lodge a grievance after your employment has terminated, please write to your manager setting about your Complaint.

Whilst an employee has an outstanding grievance or has been dismissed from the Company it is policy that all passwords sensitive Company equipment be changed and not re-issued to you until the grievance is resolved or appeal process complete.

### **Discipline Procedure**

The discipline process has been designed to help and encourage you to achieve and maintain good standards of conduct, attendance, and job performance. On occasions people may fall short of the expected standards of behaviour or performance in these circumstances disciplinary action may be taken.

At all stages of the disciplinary procedure, you will:

- be given a right of reply to all and any allegations made against you BEFORE any decision or disciplinary action is taken;
- be advised of the nature of any disciplinary action taken against you and the consequences of such action;
- be wised of any improvement in conduct or performance required and over what time frame;
- and
- have the opportunity to be accompanied by a work colleague or Trade Union Representative to any disciplinary hearing as described above.

Disciplinary hearings will usually be conducted by your line manager.

You must take all reasonable steps to attend the meeting. Where you are unable to attend more than one meeting the Company may, in certain circumstances, hold the meeting in your absence and make their decision based on the evidence available to them at the time.

At the meeting you will be given the opportunity to respond and to put forward any defence or arguments you want. You may ask questions, present evidence, and call witnesses.

Depending on the severity of the offence and taking into account all the circumstances the disciplinary action may take any one of the following forms:

#### **Stage 1**

- Informal Counselling to give you an opportunity to rectify the situation.

#### **Stage 2**

- A verbal warning will be issued if improvement does not result following informal counselling or for more serious breaches. You will be told of steps you must take to improve your conduct and if appropriate the time limit for improvement. This will be confirmed in writing and recorded on your file for a period of time normally 6 months.

#### **Stage 3**

- For more serious matters or where you have failed to meet the required standards after having being given a verbal warning, you may be given a written warning. This will state the nature of the complaint, the required standards that must be met and where appropriate a time limit for improvement. It will also state that further disciplinary action will be followed if the required standards are not met. One copy of which will be retained by you and one placed on your file normally for a maximum of 12 months.

#### **Stage 4**

- For serious matters or where you have failed to reach the required standards after being warned you may be given a final written warning. This will state the nature of the complaint, the required standards to be met and where appropriate a time limit for improvement. It will also state that you

will be dismissed if the standards are not met or if there is further misconduct. One copy of which will be retained by you and one placed on your file normally for a maximum of 12 months.

#### **Stage 5**

- Where there has been Gross Misconduct (in which case the first 4 stages may be omitted) or where you have failed to meet the required standards after due warnings have been given to you, you may be dismissed. In extenuating circumstances, we may apply another sanction such as disciplinary transfer, disciplinary suspension without pay or where you are in a supervisory or management role demotion to a lower grade role. This will be confirmed in writing. In case of gross misconduct, the dismissal will normally be without notice (or pay in lieu of notice).

#### **Appeals**

You have the right of appeal against any disciplinary decision taken against you. Your appeal should be in writing and sent to the Directors within five working days of the decision and state the reasons for your appeal. You will receive a reply within a further five working days setting a date for an appeal hearing. The decision from the appeal hearing will be final.

The following are examples of Misconduct and gross Misconduct. These are examples only and not an exhaustive list.

#### **Misconduct**

- Poor time keeping.
- Minor breaches of behaviour relating to childcare practitioning
- Unauthorised and unreasonable absence from work.
- Failure to meet the adequate standard of job performance.
- Failure to comply with procedures.
- Failure to answer a question during a properly constituted investigation.
- Minor violation of safety practices.
- Minor breaches of Company regulations.
- Improper use of business funds or property.

#### **Gross Misconduct**

- The following acts are examples of gross misconduct and as such are considered so serious that the employee may be liable to instant dismissal.
- Theft or wilful damage of or negligence which leads to loss, damage to property or goods belonging to the Company, its customers or suppliers, or other employees.
- Breach of any Childcare legislation
- Unreasonably refusing to the Company searching your bags.
- Unauthorised disclosure or use of confidential information from the Company or about any of its customers.
- Conduct likely to damage the reputation of the Company.
- Drunkenness and unlawful drug abuse.
- Discrimination because of age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religious belief, sex or sexual orientation or harassment or bullying of colleagues or customers.
- Accepting bribes.
- Fraud, bribery, dishonesty or any other offence which would be a breach of the law of the land.
- Assault or attempted assault of other employees or members of the public.
- Failure to carry out a reasonable order given by a manager during working hours or serious disregard of duties.
- Serious insubordination.
- Serious breaches of the IT Security policy.
- Serious breaches of the Health and Safety policy
- Failure to report accident damage to a Company vehicle.

